Four princes zu Schaumburg-Lippe, Kammler and von Behr

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"Truth is not only violated by falsehood;
it may be outraged by silence."

Henri Amiel

People

Georg Prince of Schaumburg-Lippe, married to Marie Anna

Adolf Prince of Schaumburg-Lippe, son of Georg, last reigning prince, married to **Elisabeth (Ellen)**, née **Bischoff-Korthaus**

Valentin Graf Henckel von Donnersmarck, Adolf's chief representative

Wolrad Prince of Schaumburg-Lippe, son of Georg, married to Bathildis, grandparents of **Alexander Prince of Schaumburg-Lippe**

Stephan Prince of Schaumburg-Lippe, son of Georg, Married to **Ingeborg-Alix Princess of Schaumburg-Lippe**, née **Duchess of Oldenburg**

Henrikus Maria Vierling, a young Dutchman who died in the Steinbergen quarry

Heinrich Prinz zu Schaumburg-Lippe, son of Georg, married to Erika Gräfin Hardenberg, grandparents of the author **Alexander vom Hofe**

Friedrich Christian Prince of Schaumburg-Lippe, "Goebbels' adjutant", son of Georg and Marie Anna (?)

A **Mr. v. Behr**, Gestapo agent

Hans Kammler, SS Oberstgruppenführer

List of abbreviations

A4 Special committee for the development of V2 missiles
AO Foreign organization (of the NSDAP)
BARCH Federal Archives
BDC Berlin Document Center
BGB Bürgerliches Gesetzbuch
DVO Durchführungsverordnung
EALG Ausgleichsleistungsgesetz
EBDAR Empowered Brotherhood of Ancient Rites
F A Z *Frankfurter Allgemeine Zeitung*
FidErlG Entailment Extinguishment Act
FO Foreign Office
FS Fideikommiss matter
GESTAPA Prussian Secret State Police Office
GESTAPO Secret State Police
GG Basic Law
HTO Main Trust Office East
JCC Jewish Claims Conference
KPD Communist Party of Germany
NSDAP National Socialist German Workers' Party
NSF NS Women's Association
NSRB National Socialist Law Enforcement Association
NSV NS-Volkswohlfahrt
OFG Supreme Court of Justice
PG Party comrade
PGN Party comrade
RFSS Reichsführer SS
RGBL Imperial Law Gazette
RSHA Reich Security Main Office
SA Sturmabteilung
SD Security Service of the Reichsführer SS
SS Schutzstaffel
VermG Property Act
VPp U *Four Princes and the parallel system of injustice*

Preliminary remark

When I published the book *Vier Prinzen und das parallele Unrechtssy- stem* (*VPpU*) six years ago, I was involved in a number of court cases. Those Four *Princes* were intended to give courts and authorities an understanding of the historical context and background. It was my aim to support public authorities in their research. They had asked me to help clarify the connections. I also had a legitimate interest in the investigation because there was a not inconsiderable chance that authorities, even the administrative court in Greifswald, would agree with my legal opinion.

The best proof that my investigations and conclusions have been heeded can be found in the judgment of the Administrative Court. It is reproduced in Appendix 1 of this book. The state office supported my legal opinion to the end. The Administrative Court ruled without inspecting the archives. It largely copied and pasted the civil law judgment of the Higher Regional Court of Celle 7 U 159/02 and did not address the National Socialist structures and procedures in a single syllable.

These *Four Princes (Kammler and von Behr)* were born without time pressure, without objective compulsion. They are retrospective, older and more mature because they have prior knowledge. Decisions on the merits (proceedings under the Property Act) no longer play a role.

I have also taken the liberty of writing about current cases concerning the unfortunately common practice of withholding information. After the publication of the first *Four Princes*, I was able to compile some interesting findings on Hans Kammler's death, on Gestapo agent Kurt von Behr, on Valentin Henckel Graf Donnersmarck, authorized representative of Adolf Fürst zu Schaumburg-Lippe, and on Henrikus Maria Vierling.

These *Four Princes* represent further reading, but they are also self-sufficient.

If you would like to view the first *Four Princes* as a reminder, you can find them at

http://edocs.fu-berlin.de/docs/receive/FUDOCS_ document_000000000100

find. You can reach them at any time of day or night.

Steve Jobs said in his famous speech at Stanford University:
"You have to trust that the dots will somehow connect in your future". I transfer this thought to my much more modest career path: if I hadn't studied in Berlin and published The *Four Princes in* 2006, this book wouldn't be here. One day this story will (somehow) be researched. I am sure of that.

$OH[DQGHU YRP +RIH.

1. Family

Georg at a young age (source: private archive)

I need to expand a little. **The journey through time takes about 165 years.** I will only briefly highlight the key points.

Georg Prince of Schaumburg-Lippe, son of Prince Adolf I of Schaumburg-Lippe and Hermine Waldeck-Pyrmont, was born in 1846. He married my great-grandmother Marie Anna von Sachsen-Altenburg in Altenburg in 1882. She was 18 years younger.

Marie Anna was the daughter of Moritz von Sach- sen-Altenburg, a prince from the Ernestine collateral line of the Wettins. Marie Anna's sister Elisabeth married Grand Prince Konstantin Konstantinovich Romanov in St. Petersburg. Around 1898, Georg visited the tsars in St. Petersburg. After my mother's death, I found a small silver case with engravings of the signatures of Dmitri, Georg, Konstantin, Olga, Elisabeth and one that read something like Minny. Dmitri Konstantinovich Romanov was shot in 1918. Georg's signature was very worn. It is in the middle of the case, where a thumb can reach. Georg and later Heinrich probably used it every day. The case feels very comfortable in the hand.

Anniversary postcard Georg and Marie Anna (source: private archive)

This postcard commemorates the silver wedding anniversary. The age difference is very noticeable. Marie Anna gave birth

George with the tsars. Note from left to right: Grand Duke Paul Alexandrovich, Georg Prince of Schaumburg-Lippe, the Tsarina, Grand Duke Sergei Mikhailovich Romanov, Tsar Nicholas II; Duke of Leuchtenberg, Grand Duchess Vladimir, Princess Eugenie Maximilanova of Oldenburg, Duchess A. of Leuchtenberg, Grand Duke Sergei, Grand Duke Vladimir (photo ca. 1898, source: private archive)

nine children. I will only mention five of them here. Adolf was the eldest son. Moritz died in 1920, I think from the Spanish flu. The third was Wolrad, who visited us in Algorta in 1962. Then came Step- han and then my grandfather Heinrich (Harry). And finally Friedrich Christian: that was in 1906. Marie Anna was 42 and Georg 61 years old.

Adolf

Moritz

Harry and Stefan

Wolrad

Friedrich Christian (Didi), approx. 10 years old

(Source of all pictures: private archive)

Georg had a huge fortune. He personally owned estates in Hungary, Austria, Argentina, Prussia, forests, castles, shares in companies and much more. In 1908 he bought the Bariloche (Argentina) Estancia San Ramón. Today it belongs to a Suchard heir.

Kaisenberg in Steyrling (source: private archive)

I have the impression that Georg and Marie Anna grew apart a little over time. Marie Anna was assisted by court marshal and chamberlain Konradin von Kaisenberg, who was born in Verden on November 13, 1877. He died on July 23, 1923 in Blankenburg at the age of 45, five years after Marie Anna's death.

Friedrich Christian wrote about him: *"My tutor, the still young court marshal of my mother, Konra- din von Kaisenberg, previously captain of the royal grenadiers in Stettin, a Prussian through and through (...)"; "For the clever, consistent and educated Kaisenberg, the post of court marshal with the Princess-Mother of Schaumburg-Lippe was certainly far too limited. But he was almost completely blind"* (from *Verdammte Pflicht und Schuldigkeit*, author Friedrich Christian). Von Kaisenberg was remembered in Georg's will.

Georg died in 1911 and his second youngest son Heinrich, then aged 17, described his father's last days. His upbringing

I couldn't read the drawings in Sütterlin script. The person to whom I owe the transcription commented:

> *As promised, you will find enclosed the reviewed transcription of your grandfather's recordings.*
>
> *From the moment he describes the departure for Bückeburg, the writing becomes larger and more erratic and the misspellings increase, including the*

Spelling of individual letters becomes less clear ("r" as "s", "ph" as "ps"). You can tell from the writing how much the writer was touched by this when recapitulating the events.

Photos of the manuscript from the Florilegium at the end of the chapter (from p. 15), here the transcription:

Records from the last days in the life of Prince Georg zu Schaumburg-Lip

[p. 1] Dad's last weeks and days.

Before I left Bückeburg, he was already noticeably exhausted, especially during the Easter period. He mainly fell asleep suddenly and very easily. Also during the last hunts he missed much more than usual. The last shot of 1910 was a main hog, the last of his life a snipe.

I left my parents' house on April 18. When he got dressed, he gave me our hunting uniform, which I had wanted to have for so long. Unfortunately, I didn't wear it until he died because I was in Lichterfelde. When I said goodbye to him, when I wanted to bid him farewell and then leave my beloved parental home, he was sitting half asleep in his desk chair. I approached him [p. 2] and told him I had to leave. He looked at me in astonishment and asked if I was going away, but then he fell asleep again. Deeply moved, I kissed him and left. These were the last words I heard from his lips. I was very moved, but I didn't cry. A faint feeling rose up in me that I would never see him again; but I was not clearly aware of what I was thinking at that moment, it was just a feeling.

I drove away. The news fluctuated every day. At last, however, they improved considerably. As usual, the telephone from Bückeburg rang after lunch at about half past three on April 29, 1911. I heard Mama's voice, but it sounded so uncertain that I couldn't understand her. Finally I heard, if you can't understand anything, get Knobelsdorff. I ran upstairs. He was in his bedroom. I told him at once what I suspected, [Page 3] namely that Papa was getting worse. I went into my schoolroom while he was telephoning. When he came in, I instinctively told him that he didn't want to tell me anything, that I knew how things were.

At about 4 o'clock I telephoned Woldi, who also seemed very upset. At 6 o'clock, just as I was about to drive to the cadets (I already had the bike in my hand), [inserted above the line: I heard d. T.,] I ran straight into the house, where Knobelsdorff was already meeting me, the porter [stressed: already meeting k] had telephoned that I should come straight away. I quickly packed my suitcase and then took a one-horse hackney carriage with a large suitcase [? suitcase (prescribed)?] to Berlin "Zoologischer Garten" station. In addition to the worry that we were feeling, there was also the fact that time was very short. We reached it in 3/4 hours. We happened (in a great hurry) to get into the compartment reserved by Woldi; a painful reunion.

Exactly at 1/2 10 o'clock I asked W. what time it was, and added, right after the answer, whether he was still alive? At that moment, my dearly beloved father passed gently into eternity (by chance I later learned that Rieger, who was playing the organ (harmonium) in the C., got up at the same time and said to the entering Burmann, I feel something great has just happened). What a wonderful coincidence.

I arrived in [p. 5] Bückeburg at one o'clock at night. As there was no half-mast at the station, we still hoped. But Hammerstein only held out his floral top hat to us. And said: "His Durchlacht [sic!] has fallen asleep as gently as you can imagine a more beautiful death. At that moment and until I entered the castle, I was cold and numb with shock. At
W.'s nervous tension was released earlier, however. Because he once cried out horribly (loudly) while driving. In the castle I found my mother in a composed state, I fell speechlessly into her arms with the words "Poor mother". Mom led us to him, we had been the first [correction:] to arrive. At 3 [p. 6] Adolf arrived, at 5 Stephan, at 12 (the next day) Moritz, he received the two messages, which had been sent by telegraph, by telephone at the Birkhahns [?] on the other side of Breslau (on a good). Mom first showed us the death chair, then we were led into the poorly lit death room. Dad looked very disfigured and resembled Grandma in his chin tie. I was so frightened at the first sight that I [deleted: the day, inserted above the line: night] was no longer in there. The next day he looked very well.

Georg's sole heir and successor was Adolf, who ruled until November 1918 and then had to abdicate. In December 1918, el Diario de Rio Negro in Argentina reported on this and mentioned that he, Adolf, was the owner of

was the owner of the Estancia San Ramón. The administrator of the estate in 1914 was Louis Freiherr von Bülow. His grave, von Bülow died in 1918, was discovered in 2003 after a fire on the estate. Wilhelm Canaris and other crew members of the Dresden are said to have stayed on the estate in 1914. According to the Argentinian press, a Baron von Reinach was later appointed caretaker. "Reinach" is the name of a Jewish banking family.

Bariloche became famous much later: in 1994, it was discovered that the former SS-Hauptsturmführer Erich Priebke was staying there. The SS men Josef Schwammberger, Reinhard Kopps, Ferdinand Tröstl and Hans-Ulrich Rudel also hid in Bariloche for a time.

Adolf bought further properties after 1918. These included the Palais Schaumburg in Bonn, including the Osterrade estate. He bought the palace from "Aunt Vicky", Viktoria of Prussia, sister of the Emperor, who had married one of Georg's brothers, Adolf. Here is a page from a photo album.

Victoria of Prussia, photo album page (source: private archive)

Victoria of Prussia (source: private archive)

Adolf Georg and Hermine (source: private archive)

A few comments on another estate: Steyrling in Lower Austria. This is a 10,000 hectare forestry estate. Georg's parents, Adolf Georg and Hermine, née Waldeck and Pyrmont, owned it. Adolf Georg bequeathed it to his wife Hermine. She left the estate to her son Georg, who bequeathed it to Adolf in 1911.

In 1920, even after the revolution and after the domanial division agreement concluded with the Free State of Schaumburg-Lippe, Adolf was a wealthy ex-prince. Against the wishes of his brothers, he married Ellen Bischoff-Korthaus, **a commoner** who they said was a "dalliance girl". Although young, she had already been married once before, briefly, to Prince Eberwyn zu Bentheim und Steinfurt, whom she divorced. Divorces were stigmatizing. Ellen was also not in keeping with her station. In the Schaumburg-Lippe family, as in other noble families, cousins married cousins. The main thing was to be wealthy and in keeping with their station. Adolf Georg and Hermine, cousin and cousin, married, as did Wolrad and his cousin Bathildis.

After a lot of research, I got the impression that I would have liked both Adolf and Ellen. Ellen's father, Franz Bischoff, fa-

Wedding of Bathildis and Wolrad on 16.4.1925 in Pfaffstädt. Among others: Elsa Princess of S.-L., née Duchess Württemberg; bride's father Albrecht Prince of S.-L; Heinrich Prince of S.-L; Bathildis Princess of Waldeck and Pyrmont (sister of Prince Albrecht); Elisabeth Princess of S.-L., Viktoria Luise Duchess of Brunswick, née Princess of Prussia, daughter of Emperor Wilhelm II; Franz Joseph Prince of S.-L, Friedrich Christian Prince of S.-L; Ernst August Duke of Brunswick Lüneburg; Max Prince of S.-L. Adolf and Ellen were not present (source: private archive)

The owner of a brickyard in Leipzig, came from Zwenkau. Her mother's name was Wilhelmina Hofmihlen. She married a second time, Carl Adolf Korthaus, a landscape painter. After his studies, he studied at the Munich Academy under Peter von Halm and Carl von Marr and later went to Rome. He thus became Ellen's stepfather. **This explains the double name Bischoff-Korthaus.** He, the painter and stepfather of the bride, Stephan Kekule von Stradonitz, a lawyer, heraldist and freemason, attended the civil wedding ceremony in Berlin in 1920 as witnesses. Carl Adolf Korthaus was 41 years old on the day of his stepdaughter's wedding (January 10, 1920), Ellen was 26 and Adolf 37. A wedding of a former ruling prince in a small circle.

Adolf and Ellen (source *above*: private archive,
below: New York Times)

The groom's brothers, Wolrad, Stephan, Friedrich Christian and Heinrich, sensed disaster. They did not come to the wedding. I assume that Adolf did not even invite them, but got married and reported the bad news afterwards. The accusations and allegations began. Ellen would bring the fortune through, she would gamble it away in Casi- nos. Stephan's later sister-in-law Ingeborg-Alix, who wrote in her diary entitled *Bunte Bilder aus bewegten Zeiten, 1919-1936*, Vol. 1, was very worried:

In the meantime, a tragedy had unfolded in Bückeburg. Adolf, the last reigning prince of Schaumburg-Lippe, had married a dubious person from Kurfürstendamm in 1920! He presented the brothers with a fait accompli. They formed a front and tried to save what could still be saved. Renowned lawyers were called in to deprive him of the right to dispose of the enormous property and above all the house assets and to prevent the youngest siblings from coming under the influence of this woman. [S. 38].

What did Ingeborg-Alix, née Herzogenin von Oldenburg, mean by this? A tragedy, a dubious person of the Kurfürstendamm? A prostitute, perhaps? A theater actress? These are not exactly vague allusions. The tensions within the family eska- lated. At the beginning of the 1920s, there were lawsuits between the princely brothers. Mostly it was about money, but also about manners, i.e. the way they intended to deal with each other in future. In the

An agreement was reached during one of these trials. The prince brothers, not Adolf, undertook not to make public a bundle of allegedly incriminating documents, and in return Adolf was no longer allowed to come to Bückeburg. What was in the bundle? Everything is conceivable. He was banned from Bückeburg Castle.

Stephan's wife Ingeborg-Alix, Adolf's loving sister-in-law, wrote decades later in her memoirs that Adolf was a danger to the underage siblings. What does that mean? Rumors circulated that Adolf was weak and anything but a national conservative. It was also rumored that he was homosexual. In a book about the mausoleum in Bückeburg in 2010, the author suggested that Adolf, who had the mausoleum built, showed little interest in women. My mother had said something similar to me, not in a critical tone, but with understanding. Years later, two German historians asked me whether there was any truth to the rumor. In his memoirs, President Karl Dreier wrote on p. 36: *"As a former reigning prince, he seemed almost too soft to me... kind-hearted, a little degenerate in appearance."*

In the eyes of his brothers and later sisters-in-law, Ingeborg-Alix and Alexandra, the latter Friedrich Christian's wife, Adolf symbolized weakness and decadence. For the youngest brother Friedrich Christian, who later became Goebbels' adjutant, Adolf was a failure, a "looser". Adolf and Ellen lived in Höllriegelskreuth (Munich) in the Villa Bellemaison, later on Brioni (**then Italy**, now Croatia). Adolf continued to attract attention, even when he did not reign. He was in the limelight not only because of his lifestyle and political views, but above all because of his wealth and his "noble lineage". He was interested in the arts. On February 28, 1923, the academic senate of Ludwig-Maximilians-Universität Munich decided to make him an honorary citizen of the university. Reason: Great services to musicology, in particular by founding and maintaining the musicological institute in Bückeburg (source: LMU archive, Sen-II-48).

At the end of the 1920s, Wolrad, Friedrich Christian, Ste- phan, Ingeborg-Alix and Alexandra, like many princes, were active on the right-wing political spectrum. Adolf and Ellen were not available for this, and neither was Heinrich.

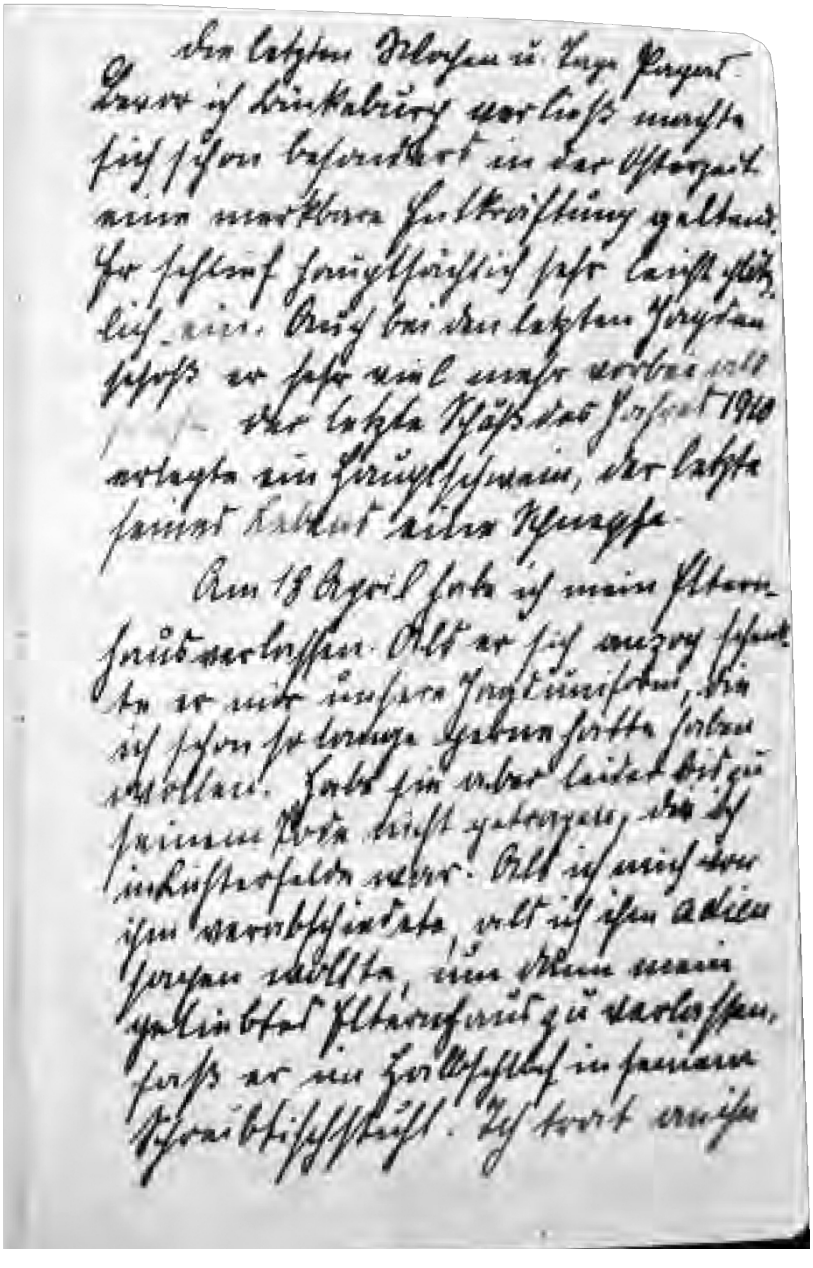
In the 1930s, it was not clear to the National Socialists whether Adolf's assets were personal or so-called household or entailed assets. Allegedly, there was a danger that he or his dubious wife would pass on the assets.

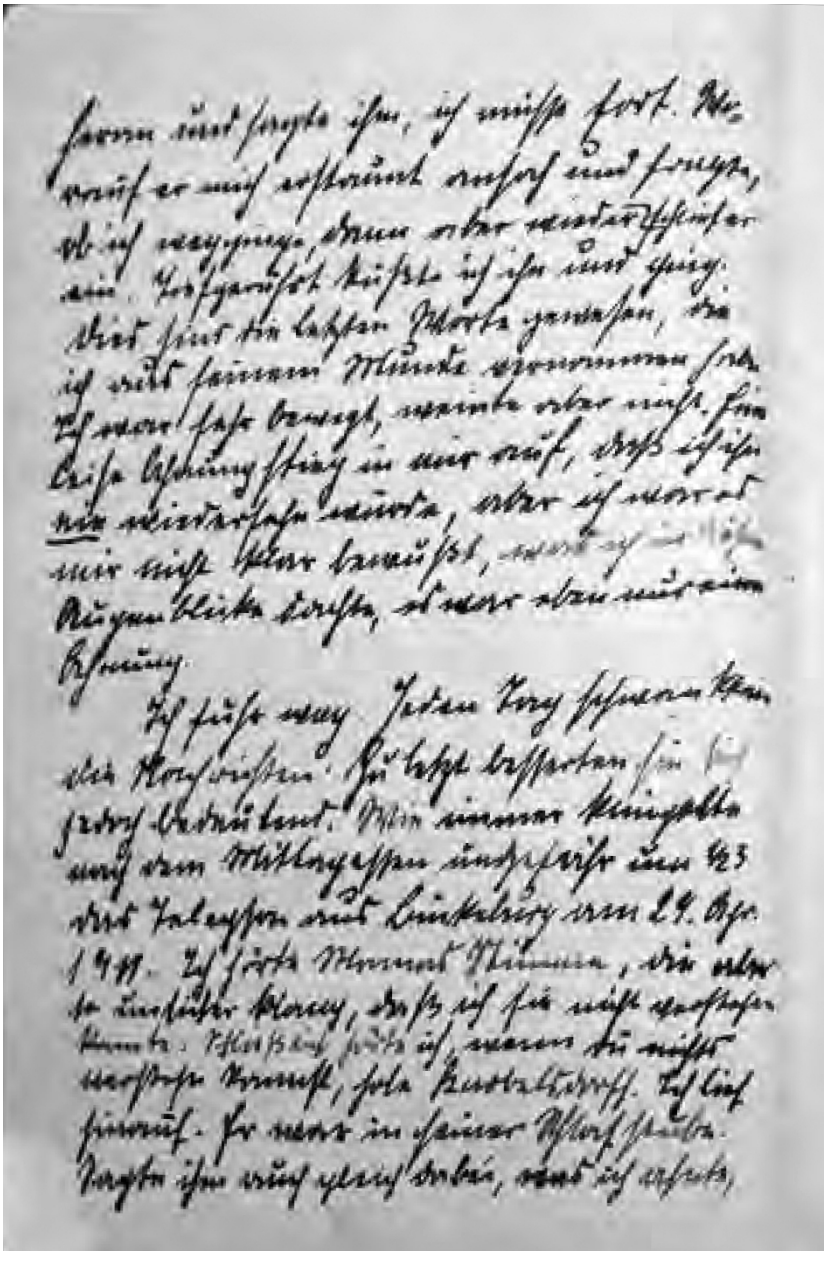
Adolf lived in Munich, occasionally in Steyrling, Vietgest or Brioni, but never in Bückeburg. Friedrich Christian was now a rabid national socialist. In various writings, he accused his brother Adolf of **not having been resolute enough**, of having passively given up the monarchy. In June 1934, perhaps earlier, Adolf was targeted by the Gestapa. The *"family dispute, I don't like your wife, you have money, we don't"* dimension had become too small. Now the political aspect unfolded its full force. It wasn't about his lifestyle, it wasn't about antipathy, it was about the whole thing. Anyone who came into the Gestapa's sights was a sitting duck. There was no going back, no amnesty. Adolf had been declared a mortal enemy, an enemy of the Nazis, and also an enemy of the Nazis in the family.

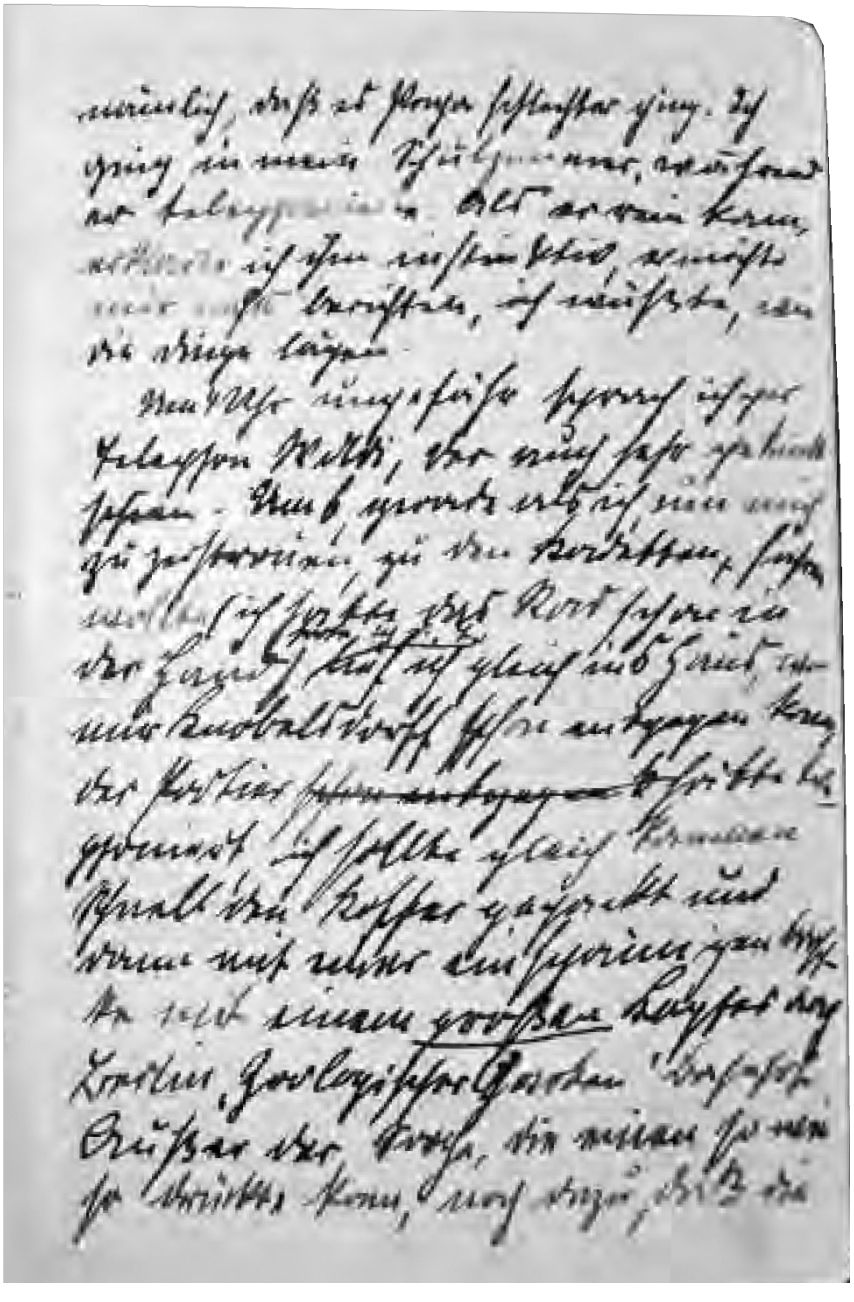
This is what I found in the remains of a fire file from the Foreign Office in Berlin. Fire files are so called because the edges are charred. Why are they not completely burnt? Either because the deliberate burning of the file in 1945 failed or because it caught fire during a bombing raid. Copies of the remaining files can be found in the Political Archive of the Federal Foreign Office in Berlin. I was given a copy of the scant remains. I used the cover page of the file to make a collage that adorns the cover of this book.

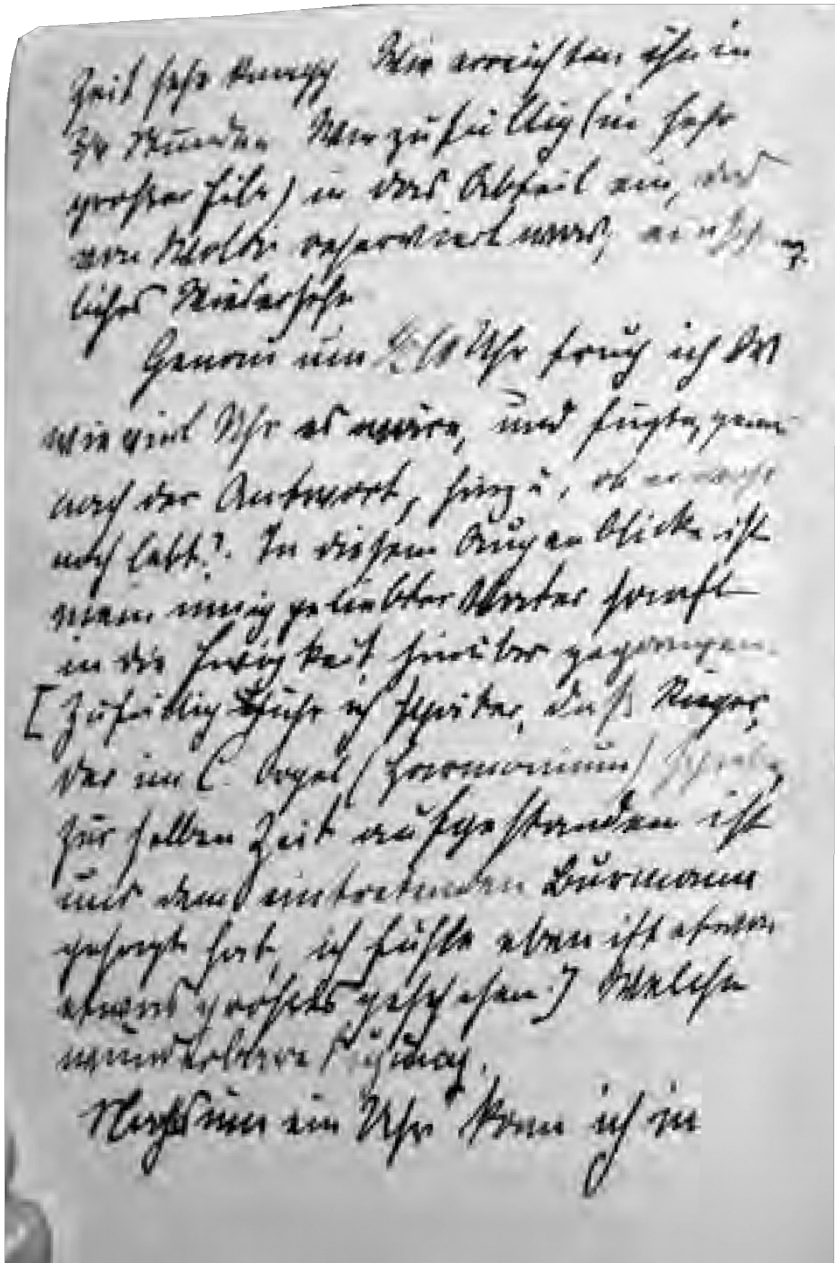
A note indicates that Adolf, residing on Brioni, had been reported by a Herr von Behr.

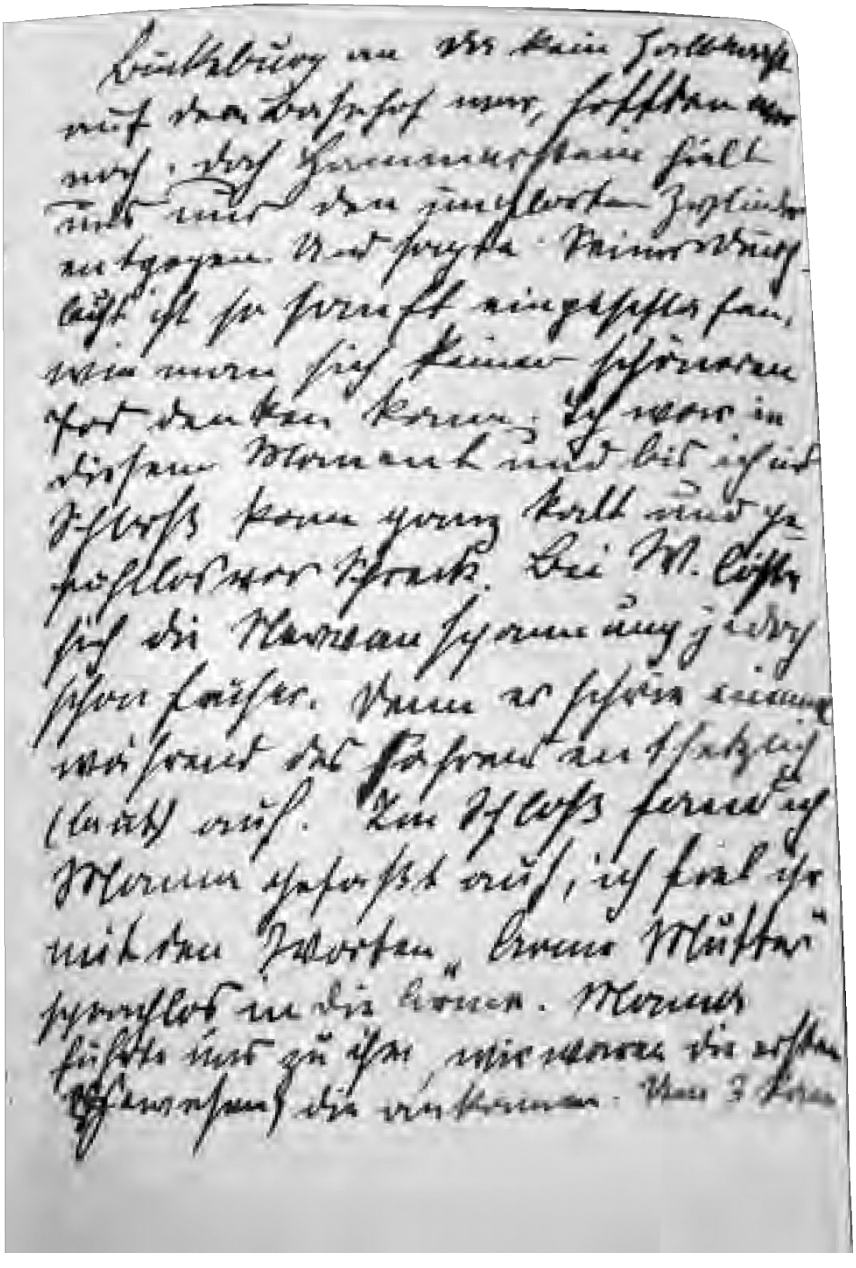
At this point, I would like to take a short break. I would ask you to put yourself in the shoes of an average citizen. This citizen learns from his own research that his ancestors ruled a small territory in Germany, that the last ruling prince, his grandfather's brother, abdicated in 1918, had huge estates, that the Gestapa was investigating him, that his younger brother was Goebbels' adjutant. **Who would l e t such a story rest?**

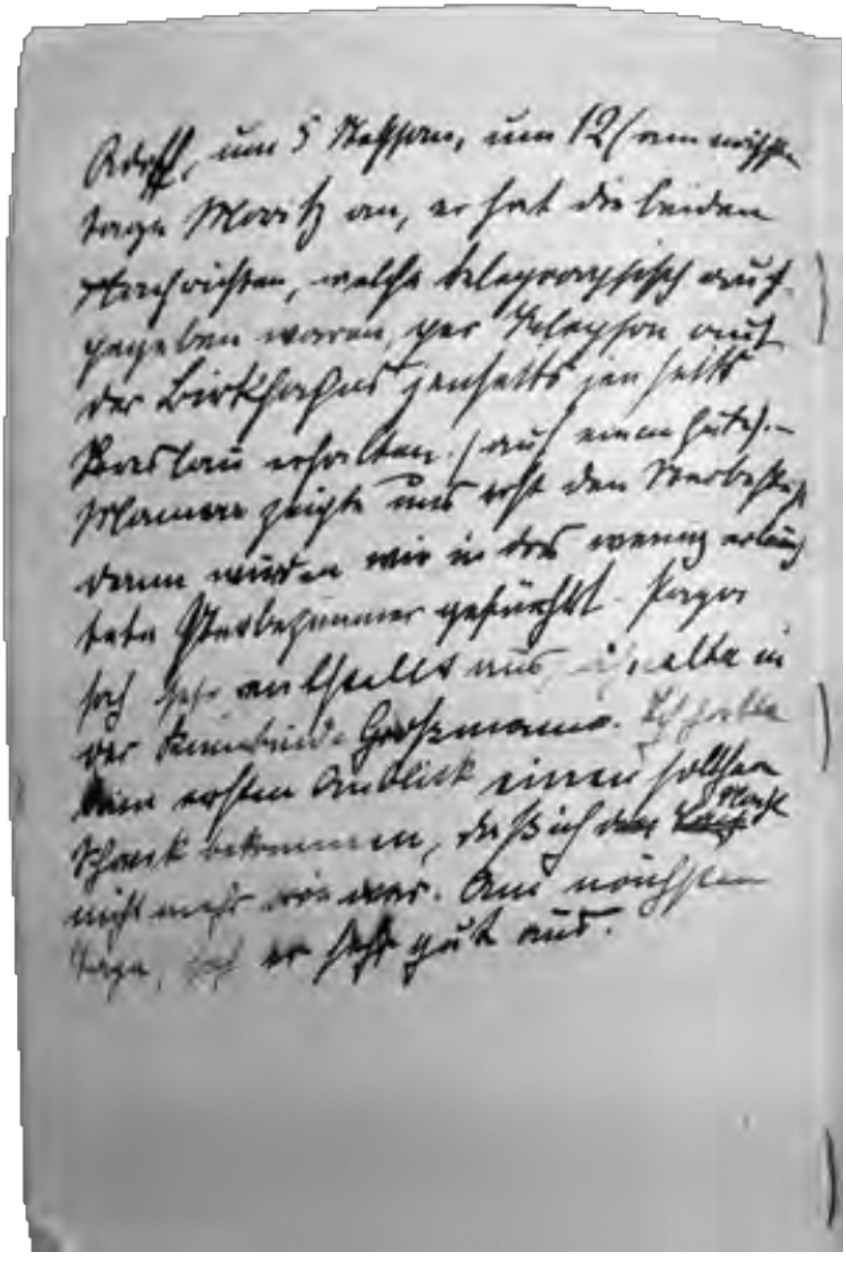












2. From Behr

Adolf Prince of Schaumburg-Lippe was denounced by a Mr. v. Behr in 1934. Who was this Mr. v. Behr?

Inquiries at the Political Archive of the Federal Foreign Office remained fruitless. Nobody explained to me who it could be. The fire file was sparse, but the references it contained were striking. A Mr. v. Behr denounced Adolf with reference to eight reports. They all went to the Foreign Office in Berlin and were personally inspected by the Reich Minister von Neurath.

The date stamp of the Foreign Office was June 16, 1934, and the person responsible was Werner Lorenz. From 1934 to 1937, he was the leader of the SS-Oberabschnitt Nord, based in Hamburg. He was also head of the Main Office of the Volksdeutsche Mittelstelle ("VoMi"). Rudolf Graf von Bassewitz, Chief of Protocol, was also involved in the process.

Erica Pappritz and Konrad Adenauer
(Source: Bundesarchiv)

AA was involved. He was retired in 1936 for alleged homosexuality. Herbert Mumm von Schwarzenstein also saw the complete file (see copy on p. 3 of the Gestapa file). Shortly afterwards, he was also denounced for alleged homosexuality. SS-Obersturmführer Dr. Georg Vogel also took note of the incident. So did Erica Pappritz, head of the Protocol Department, who then became a consultant and personal deputy to the then Chief of Protocol in the Federal Chancellery in 1949.

On November 5, 1949 Chancellor Konrad Adenauer made Palais Schaumburg his home.

new office and moved in on November 25, 1949 (see *VPpU - Four Princes and the Parallel System of Injustice* -, p. 297 ff.).

Adolf was shadowed by the AA at a time when Friedrich Franz von Mecklenburg and Josias von Waldeck were employed there (see Conze, Frei, Hayes and Zimmermann, *Das Amt und die Vergangenheit, Deutsche Diplomaten im Dritten Reich in der Bundesrepublik*, 2010, p. 119).

Adolf was investigated by **public authorities** who employed people close to him.

> *In order to record these groups of people, the Secret State Police Office will set up a name card database which will have to be kept up to date at all times. The AA did not even shy away from secret service activities. At the beginning of May 1934, an emigrant offered himself to the London embassy as an informer. In Berlin, Bülow Schwante's information was immediately passed on to the Secret State Police Office. This was the prelude to months of cooperation between the London embassy, Berlin headquarters and the Gestapa [...]. The smooth cooperation between internal authorities and the AA in the surveillance of emigrants was continued in the practice of expatriation.* (The Office, p. 81).

There is no doubt that Adolf's persecution was organized **by the National Socialist Foreign Office** in close cooperation with the SS. The SS was also heavily involved in the dissolution of the Fideikommiss Act. Palais Schaumburg, Adolf's private property, symbolizes private wealth that aroused state desire.

Years after the publication of my first book, I came across the Internet to an article by Dr. Christian Buckard entitled "Death in the island garden". He described how emigrants in Mallorca were spied on shortly before the Spanish Civil War. It is thanks to him that I know who Mr. v. Behr was. He was none other than the infamous 'Baron' Kurt von Behr. Spaniards would say: "Nada menos!"

Kurt von Behr (Source: Federal Archives)

On June 14 and 15, 1934, two days before the Adolf's denunciation, **the first meeting took place.**

The meeting between Mussolini and Adolf Hitler took place in Venice, with Foreign Minister Konstantin von Neurath in attendance.

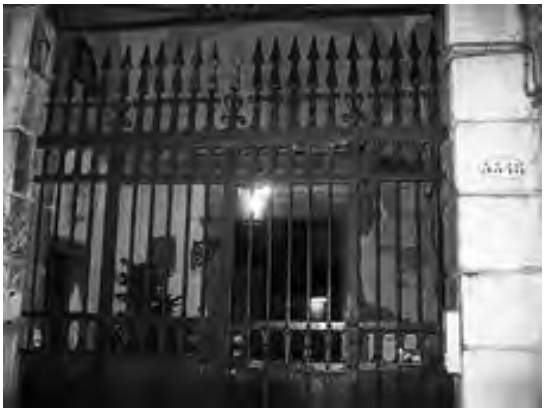
Kurt von Behr handed over incriminating material in Venice against Adolf and Ellen, who resided in Brioni (Italy). He personally handed it over to von Neurath. Brioni, a group of islands, belonged to the region of Venice. As can be read in the file, it was sent "by courier". Who was the courier? Von Behr belonged to the Venice base of the NSDAP's foreign organization in Italy.

From February 1932 to August 1934, Heinrich Brand was the **head of the national group in Italy**, based in Venice. The supervisory office of the Venice base was the staff of the Führer's deputy, i.e. Hess. Official designation: The head of the foreign organization of the NSDAP, address: Ernst Wilhelm Bohle, Hamburg 13, Harvesterhuderweg 22. The head of staff was Martin Bormann. Supervision of the Italian national group was eventually transferred from Hamburg to the "Brown House" in Munich due to the great distance. Control over the NSDAP in Italy was the responsibility of the Reichsleitung. The spying on and surveillance of Adolf was carried out with the knowledge and will of the Reichsleitung, i.e. with the knowledge of Hitler, Bormann and Hess.

Adolf and Ellen in the sights of Heydrich, Göring, Himmler, Hitler, Bormann and Hess. Now some people will say: everyone who was a little different was spied on, that was quite normal. That has nothing to say, files were kept on just about everyone. It happened in every family. As someone from Guido Knopp's ZDF team wrote to me?
"One case in a thousand". But of course. The Foreign Office sent the denunciation to the Gestapa, Prinz-Albrecht-Straße 8 in Berlin. Very few documents on von Behr from the time before 1940 were known. Where was I supposed to get any? I'm not a historian, I'm a lawyer and I live abroad. But perhaps that is an advantage. It forces me to be creative. The whole world is a potential treasure trove.

But first I turned to German archives. The Federal Archives (formerly the Berlin Document Center) hold von Behr's NSDAP membership card and the Gaukarteikarte. Kurt von Behr was registered in Venice from July 1, 1933 in a small, very conspiratorial-looking alley, the exact address being San Samuele 3348. Dr. Buckard provided me with

San Samuele 3348 in Venice (Reprinted with the kind permission of Dr. Christian Buckard)



various photos, for which I would like to express my sincere thanks. I would like to include a photo of the entrance to the house here. It stands in a cul-de-sac. Comment: "Anyone coming into this cul-de-sac will notice it. And there is also an escape route, i.e. a path behind the house. But the photo looks pretty conspiratorial, doesn't it?" Standing in front of San Samuele 3348, you can see the former headquarters of the Italian branch of the Gau foreign department, not far from Palazzo Grassi.

In Venice, **the spy who was "observing" Adolf and Ellen had** his "Quarters". He reported to Berlin. A few personal details about Kurt von Behr should be noted for the sake of completeness: He was born on 1.

Adolf, perhaps in Brioni (source: private archive)

He was born in Hanover on March 1890. He was 8 years younger than Adolf. In 1934 he was 44, Adolf
52 years old. A 44-year-old spied on a 52-year-old gentleman. Adolf and Ellen played golf. Perhaps these photos were taken in Brioni, where there is also said to have been a golf course.

Who photographed them? The children look quite serious.
The sun shines on Ellen

Ellen, smiling friendly (source: private archive)

Face. My wife told me that she was attractive, elegant and well-groomed.

But back to Kurt von Behr. He had married Guzmann Cha- ke on August 7, 1924. She was born on February 16, 1896 in British India. She was 38 years old when von Behr played spy. It was not easy to find out Mrs. von Behr's real name. I managed to obtain the death certificates of the von Behrs.

Wife's first name: "Johanna". But I didn't believe that. An Australian woman born in British India is not called Johanna. One hundred percent Nazis long for a German name for the wife. She had to be called something else. In the age of the Internet, the researcher makes many a discovery.

Sometimes I was asked: Why do you want to know that so precisely? Counter question: Why not?

AB Woodhall referred to an advertisement in his book *Soldier Sailor and Airman Too.* It was published in *The Times* (London) on August 8, 1924:

> *The marriage of Baron Kurt von Behr of Munich, and Joy Clarke, daughter of Mrs. Godfrey Clarke, of Venice, took place in London on August 7, from the home of her aunt, Miss de Guzman Youl.*

Miss de Guzman Youl came from a family in Melbourne. Kurt von Behr's mother-in-law resided in Venice. Behr's wife was born Joy Clarke. In the death certificate from the Bad Staffelstein registry office, her first name was Johanna, surname Baroness von Behr. This is actually complete nonsense because there were no titles after 1918. The Austra- lian woman could never have become a baroness. "Guzman" was spelled with two "n "s, which is wrong, and Clarke became "Chake", and the first name "Joy" became
"Johanna", so that the Nazi celebrities could be happy about being German. **Joy Guzman Clarke was thus Germanized to Johanna Gutzmann Chake.** A fantasy name. Today we would say Neuadel, a *fake*.

On one of Hitler's birthdays, April 20, 1945, they took their own lives in Banz Castle. They poisoned themselves in fantasy clothes. They could have done this 12 years earlier.

Kurt von Behr had been the head of the Fine Arts Department of the ERR (Einsatzstab Reichsleiter Rosenberg), the looting organization of the Third Reich during the Second World War, which was headed by the Nazi party ideologue Alfred Rosenberg and the Foreign Policy Office of the NSDAP (APA), which he led. Some of Adolf's paintings later "ended up" there, at the APA. The Reichsleitung of the NSDAP wrote about Kurt von Behr on July 14, 1943:

> *Pg. Kurt von Behr rendered outstanding services in securing works of art [...]. These were worth millions, which were essentially secured for the NSDAP from Jewish property in good time thanks to the skillful negotiating tactics and quick action of the above-mentioned.*

His art thefts are well known. That's not so interesting for me. I was interested in his actions from 1934 to 1936, so I kept looking.

Hermann Göring was behind the charges against Adolf, as he was the head of the Gestapa at the time. Von Behr was up to mischief in Spain of all places in 1936. My trip to Germany and Italy took me
"home". "Home" because I am at home in Spain. In 1935, Arthur Seehof wrote "The Brown Net. How Hitler's agents work abroad and prepare for war". The article was published in Paris in *Sozia- listische Warte*, volume 11, issue 20, p. 473. In footnote 3

he mentioned a Mr. von Behr as a Gestapo confidant on Mallorca. Von Behr spied on Germans who had emigrated. That was his specialty. In 1934, he was already doing this from San Samuele, a conspiratorial alley in Venice. In 1935, the Gestapo headquarters in Spain were disguised in the offices of the Baquera, Kusche y Martin S.A. company.

> *This man in civilian clothes was the German national Förster from Hamm in Westphalia. He is a teacher by profession... His brother, a doctor by profession, maintained close friendly relations with Dr. Goebbels... Förster worked constantly on the best of terms with the Gestapo's special representative in Palma de Mallorca: von Behr [...]; he was able to obtain precise lists of Germans who had not used German ships when leaving Mallorca. [Seehof]*

Goebbels made me sit up and take notice. His "adjutant" was Friedrich Christian. Goebbels's house superintendent in Berlin was Rohrssen. Rohrssen had been a castle inspector at Bückeburg Castle. Only if you know these details are links possible. Von Behr was a Gestapo informer in Italy, Spain and Munich. Adolf lived in the Villa Belle Maison in Höllrigelskreuth, Pullach, also on Brioni. Brioni belonged to the Venice base.

In the *Pariser Tageszeitung*, Vol. 1. 1936, No. 57 of August 7, 1936, the following was written
Page 2:

> *Nazi organization in Mallorca works for the rebels*
>
> *It is well known that Hitler's agents in Spain have long been working on the project to establish a German naval and air base on Mallorca. Baron Kurt von Behr, who had previously worked as a Gestapo agent in London, had been negotiating with the Spanish fascists from the city of Palma in Mallorca for a year and had gathered a staff of Nazi agents around him, including Dr. Adler (head of the German school), Mrs. Norget, the businessman Tischner and the head of the National Socialist women's association, Mrs. Luecken. In the neighboring village of Terrino (correctly Ter-*
> *reno, district of Palma) a Spanish doctor was arrested on the denunciation of Mr. von Behr and shot, allegedly for possession of an enemy transmitter... Since the airplanes loyal to the government began their daily aerial bombing*
> *bardement began, the Nazis held their meetings there in the*

German school and the representative office of the German Red Cross, of which Mr. von Behr is the official director [...].

I traveled to Amsterdam to look at the FAI holdings of the International Institute of Social History. In file 3, sheet 6 of the FAI archive there is a handwritten list of names of agents in Spain from 1936, including "Baron v. Behr", Mallorca. Pg. A.A. Berlin. FAI is the international section of the anarchists. The anarchists succeeded in obtaining many documents from the German consulate in Barcelona in 1936.
"confiscate".

At the top of the list: Hans Hellermann, regional group leader in Spain since April 1936; Burbach, foreign commissioner; Walter Zuchristian, Siemens works Madrid; Carl Cords, port service manager Madrid, Siemens; Otto Philip- pi; Dede, consul, Mallorca and others.

The setting of Brioni fits into this threatening world. Brioni's story will be touched on here.

In 1893, the Austrian industrialist Paul Kuppelwieser bought the island of Brijuni and laid out forests, parks and avenues. The island was infested with malaria. Robert Koch, who had been working on malaria since 1898, was invited to Brijuni by Kuppelwieser to conduct research. Koch spent a year on the island from 1900 and developed his serum against malaria here. Brijuni was freed from malaria and became a meeting place for the sophisticated world. In **1911, Thomas Mann began his novella *Death in Venice* on the island.**

Please do not forget: In **1934, Brijuni belonged to the Venice region**. The Venice base was responsible for Brijuni. Von Behr was "responsible" for the emigrants on Brijuni. From the travel book Norditalien of the Mey- ers Reisebücher series, 12th edition 1933, we learn that Brioni could be reached from Venice by seaplane.

When did Kurt von Behr, who came from Hanover, first shake hands with Adolf auf Brioni, smiling or pointing submissively? I will never know. In what way, by what methods did he spy on Adolf and Ellen, eavesdrop on them? He must have done that if he personally handed eight reports to Minister von Neurath. Were telephone lines tapped, were they shadowed, were waiters and room

Were hotel concierges, receptionists bribed, relatives questioned? Were local bank managers asked to deliver payment receipts?

Kurt von Behr, as a Lower Saxon would-be aristocrat, elegantly dressed at a reception, how did he address Adolf? With Serene Highness? All speculation. He played the fake baron with his Australian wife. Then he must have whispered and humped for show. Admittedly, this is speculation, but the contents of the fire file are not speculation. He was a member of the Foreign Policy Office of the NSDAP.

Franz Spielhagen wrote:

> *Rosenberg's foreign policy office paid special attention to the island of Majorca (...) The representative of the foreign policy office was Baron von Behr, about whom the head of the regional group (Hans Willi, added) Hellermann says the following in his letter of June 29, 1936: The main organizer of the well-successful solstice festival was a partigenosse Baron v. Behr, who immediately informed me that he did not belong to the Palma base, but to the Foreign Policy Office." Further p. 153: "This information made me very suspicious at first, but Pg. (party comrade, the author) v. Behr proved to me on request that he belonged to the A.P.A. with a membership card (...) Pg. v. Behr told me that he was adjutant to Mr. v. Papen and also showed me photographs where he is visible in the company of Göring and von Papen... The letter also reports that Behr is very well informed about the events in the English colony through his wife, who was born in England... He has organized bloody hunts for emigrants with the help of the Phalangists. A German doctor and the German pacifist Kraschutzki fell victim to him. Von Behr showed a photo in the company of Göring, head of the Gestapa."* (Spies and Conspirators in Spain: According to Official National Socialist Documents*, Paris: Ed. Du Carrefour, 1936, p. 152 f.)*

Heinz Kraschutzki spent nine years in prison in Spain. In 1936, the Spanish newspaper ABC falsely reported that he had been shot. It also mentions that von Behr was the head of the Gestapo on Mallorca.

Hans Hellermann was arrested as a spy in Mexico on February 28, 1942 (NARA, r.g. 226, OSS, 12007, March 1942; Strategy, Security and Spies, Maria Emilia Paz, Pennsylvania State University, 1997, p. 158). His

Interrogation revealed that from 1938 he was head of the Gestapo in Mexico, Nazi agent and military instructor of the Falange in Mexico. He received instructions from the Ibero-American Institute in Berlin (headed by General von Faupel). In 1936, he was the NSDAP's regional group leader in Spain. He had previously been a local group leader in Barcelona. He had come to Spain in 1933.

Adolf, who had no National Socialist leanings, was on file with Heydrich. Not a good starting point for peaceful progress in those days. His sister-in-law, Ingeborg-Alix, reported in her memoirs about amusing conversations with Heydrich and Himmler (if you like, you can read them online on p. 271 of *VPpU*). "Himmler to Heydrich: Heydrich, how would it be if we assigned the princess to the Reich Security Main Office for the local area?" (referring to the Office of the Commander of the Protectorate of Bohemia and Moravia in Prague).

I found it highly disconcerting that the Political Archive of the Federal Foreign Office gave no answer at all to my innocent question in 2004 as to who Mr. von Behr might be. The archive is staffed by first-class historians who have more knowledge, resources and experience than I do.

I ask even more pointedly. Did the Political Archive of the Federal Foreign Office conceal Kurt von Behr's identity? It is quite remarkable that nothing at all came in response to my inquiries.

It is all the more disconcerting because the Political Archive of the AA contains the well-preserved and generally legible "Passport Register Palma de Mallorca 1929-44". I found out about this by chance, many years after my initial research on von Behr.

Unfortunately, only notes of the data are permitted in the AA's PA. Photocopies and copies are not permitted. In the passport register, numerous bold red crosses X (occasionally in lead letters) are conspicuous in front of certain names, which could possibly represent markings of NSDAP/AO members (Pg.) or Gestapo agents.

The Palma de Mallorca passport register also lists Baron von Behr (X in lead letters) and his wife.

The register data is as follows:

17.9.35 - 21.12.35 / von Behr / Baron Kurt / private (in professional column) / Hannover / 1/3.90 / passport no. 1205, 30/34 / issued on/in: 1/9.35 Berlin / Kommissar f. freiw. Krankenpflege/Rotes Kreuz / Dt. Kons. 24/5.34
/ Venice (place of residence) / Pollensa, Puerto, Casa Armadons 71 tel. 2768 (ext.: Ameya Delaneg tel. 42)

17.9.35 - 21.12.35 / von Behr / Joy Baroness née Clarke ./. / Behober b/Assum / 16/2.96 / Passport: 31/34 / German cons., 24/5.34 / Venice / abr. p. Kondor 18/8.36

The statement that Kurt von Behr and his wife fled Mallorca with the Kondor Legion on August 18, 1936, does not appear to be correct. If one believes a report by the German consul in Palma, Dede, they left Palma on a German warship (Political Archive of the AA: R 102059, Referat Pol I M, Az. Mil. Po. 15 No. 1 g[eheim]: Agents and espionage, individual cases, A-K, vol. 1).

In this report dated January 29, 1938, Consul Dede wrote in the last paragraph that von Behr was conspicuous and that his mission was transparent. He was probably not professional enough as an agent. He was probably exposed or in danger of being exposed. The report was sent to the AA in Berlin via the German embassy (Salamanca branch) on February 12, 1938 and forwarded to the Gestapa on February 26, 1938. The notification to the Gestapa was intended to make it clear that von Behr was an agent.
was "burned".

Consul Dede wrote about von Behr:

Palma de Mallorca, January 29, 1938

the decree no. 202 g - Sa. 13 v. 14 d. m.

Secret !

The German citizen Baron Kurt von Behr, born on March 1, 1890 in Hanover (not Venice), holder of a passport no. 30/34 issued by the German Consulate in Venice on May 24, 1934, without occupation, stayed in Mallorca from December 21, 1934 to August 18, 1936, first in Pollensa for about 1 year and then in Palma. He completed a further

presented a passport no. 1205 issued by the Commissioner for Voluntary Nursing/Red Cross on September 1, 1935 and claimed to be a representative of the Foreign Policy Office in Berlin.

During his stay in Palma, he was very active in recruiting new members for the NSDAP base at the time. The school board also entrusted him with the organization of the 1936 midsummer celebrations. This celebration must be described as a success on the whole, but instead of the expected surplus, there was a shortfall of around Pts. 500, for which Mr. von Behr expressly undertook at the time to pay the school or the company Baquera, Kusche y Martin S.A., here.

At the general meeting of the school association held on June 25, 1936, von Behr was elected first chairman of the school association at the instigation of the local party group. After the school's summer vacation began a few days later, Mr. von Behr could not be said to have been active as the school's first chairman. On August 18, he left the island of Mallorca as a refugee on a German warship together with his wife Joy, who was born in England.

Baron von Behr is judged differently here. For the young party candidates whom he interested in the party, he was "the man". Older members of the colony considered him to be a skilled actor and schemer who was on the verge of disrupting colony life here. His work for the party's foreign policy office was a little too conspicuous. I was told from various sides about his mission, which I personally reproached him for at the time.

Sincerely yours Dede

The German Embassy in Spain,
Salamanca

Pol. IM-606/38g

Kurt von Behr and another member of the Schaumburg-Lippe family will later appear together in another file: Regest 17249, Akten der Partei-Kanzlei der NSDAP; Ausführungsbestimmungen zum Führererlass über die Fernhaltung international gebundener Männer von maßgebenden Stellen in Staat, Partei und Wehrmacht.

In 1944, Hitler decreed that certain people with "international ties", particularly from the "high nobility", should be removed from ministry posts and from the Wehrmacht. He distrusted those who had international connections (for example through marriage or kinship).

In the files of the NSDAP party chancellery, individual authorizations were registered for the following persons: Ministerialrat Prinz zu Schaumburg-Lippe, Carl Eduard Herzog von Sachsen Coburg; DRKOberstF v. Behr, Forstmeis ter Heinrich und Ottmar Habsburg, AGR Georg Prinz v. Sachsen Meiningen (Vol. 1, Part 1, p. 887).

The entries are as follows:

> *136/325: 5th name Prinz zu Schaumburg-Lippe, office Ministerialrat, office Propaganda Minister, remark Bearer of the Medal of Honor, Propaganda Minister doubts international ties.*
>
> *136/326: 12th DRK-Oberstführer von Behr, Office in the Eastern Ministry, Office of the Eastern Minister, Note: Reichshauptstellenleiter of the NSDAP, wife born in England, member of the NSDAP.*
>
> *136/338: Secret! To the Reich Minister for Public Enlightenment and Propaganda (in his own hand!). In response to the letter of January 18, 1944: The Führer has decided that his decree of May 19, 1943 does not apply to the Ministe- rialrat Prinz zu Schaumburg-Lippe.*
>
> *136/341: Secret! To the Reich Minister for the Occupied Eastern Territories (in his own hand!). There are no objections to the further use of the DRK-Oberstführer von Behr, as I have informed you after presenting him to the Führer.*

I would like to thank the library of the Institute of Contemporary History in Munich for sending me the latter material.

Eduard Duke of Saxony Coburg, President of the German Red Cross since 1933, had accepted Kurt von Behr into the hierarchy of the DRK.

The British, Mallorcan and Catalan historians, Jewish and non-Jewish emigrants described Kurt von Behr as an important Gestapo agent. The historian Jusep Massot i Muntaner, monk of the Benedictine monastery in Montserrat, director of the publishing house of the monastery of Montser-

rat reports on Baron Kurt von Behr in his book *Guerra Civil y Repressio*, 2005, pp. 228-230. He informed me of what I already knew, that Kurt von Behr was a Gestapo agent. He pointed out to me that the files FO 371/20544, W14091/ 62/41 in the National Archives at Kew were important. A dossier entitled *Situation in Spain: German influence in Balearic Islands* was of interest because it contained a report that the Duchess Atholl had written to Mr. Anthony Eden on October 11, 1936, as well as a letter from Mr. A. J. Wolffsohn to Hillgarth, and a paper by Karl Otten entitled *Survey of impressions*.

In another Foreign Office file, W1598/545/41, from 1937, entitled "German Penetration", there are said to be comments by Consul Dede in Palma (Mallorca) on the letter from the Duchess of Atholl, including a copy of Wolffsohn's letter to Hillgarth.

There is certainly material on Kurt von Behr from the 1930s, but the German AA allegedly knows nothing.

Adolf was co-owner of a number of properties in Grünau (Lower Austria). The other co-owner was the Benedictine monastery of Kremsmünster. These properties were confiscated by the Reichsführer of the SS on April 3, 1941. On July 10, 1941, Friedrich Christi- an claimed land from the monastery to repay a loan he had granted to the NSDAP.

For the history of the monastery, I refer to the special print from the 104th Annual Report of the Public High School of the Benedictines of Kremsmünster, 1961, "Das Stift unter dem Hakenkreuz" by Dr. P. Rudolf Hundstorfer, O.S.B., p. 40:

> *Thursday, April 3, 1941: Suddenly, several Gestapo and SA raiding cars occupied the telephone booths at the gate [...] The Secret State Police issued an order:*
>
> *Secret State Police*
> *State Police Station*
> *Linz B.Nr. /41-II*
> *1/Grö*
>
> *On the basis of the decree of the Reich President for the Protection of the People and the State of February 28, 1933 (...) and the decree of the Reichsführer of the SS and Chief*

of the German Police C.d.S.B. No. 150/38 of March 23, 1938, the entire assets of the Benedictine canons of Kremsmünster Abbey are confiscated for state police reasons.

A Benedictine monk and historian in Spain, to whom I explained the background to my research, had dealt with the Gestapo agent Kurt von Behr and was willing to help me.

Against this background, is it credible when the Political Archive, the memory of the Federal Foreign Office, declares that it knows nothing about Kurt von Behr? One may doubt, even if it is politically incorrect.

I received information from the archives of the French Foreign Ministry. Within 4 days of my request, I received proof that Kurt von Behr was a Gestapo agent:

Bonjour Monsieur,

Nous avons bien reçu votre message du 10 novembre, qui a retenu toute notre attention.

Nous vous transférons en pièce jointe le document auquel vous faites

référence. Vous en souhaitant bonne réception.

Sincères salutations

La Permanence de la Salle de Lecture/SP

The wording of the document:

Archives du Ministere des affaires estrangers
Z.240 -I-sd-4 Guerre Civile Livraison de materiel de guerre.
1936-1939
Origine de la piece: Archives de lÁmbassade de france á Londres

5/Copie Paris, le 8 septiembre 1936

Avions allemands a Majorque.
We have good reason to believe that on the 1st of the month, under the command of the German reserve pilot, Peter von Rauber, nine German aircraft arrived in Majorque, destined for insurrection. Cinc aviateurs civils allemands accompaignent le capitaine von Rauber.

This publication would have had an effect on the arrest of an agent of influence of the Gestapo in Spain, Kurt von Behr, who played an important role among the insurgents of Majorque.
Les avions auraient ete debarques sous la protection d'un navire de querre allemand stationnant dans le port de Palma.

I found it thanks to a Spanish book that is in the Spanish National Library in Madrid. The National Library is located 650 meters from the German Embassy. The author of the book is Francisco Olaya Morales. Title: *Los Traidores de la Guerra Civil*, 2005. The reference can be found on p. 131, footnote 56.

The emigrants in Cala Ratjada and the espionage against Adolf on Brijuni were possibly on different levels. Kurt von Behr was not only an émigré spy, he was also integrated into the military complex, disguised as the head of the militarized German Red Cross. His superior, Carl Eduard Duke of Saxony Coburg, became president of the DRK in 1933. Kurt von Behr became the supreme leader of the DRK. I asked the DRK archives to grant me access to the personnel files. Ingeborg-Alix, Adolf's sister-in-law, had worked for the militarized DRK in Buenos Aires. Her daughter Marie Alix, Duchess of Schleswig Holstein, is Vice President of the DRK Schleswig Holstein Regional Association.

I wonder why the descendants of the former aristocracy have such an urge to be active in the German Red Cross. Why do they want to belong to this organization? In the case of von Behr, who was not part of the aristocracy, it was about tar- ning. Do they want to give the impression that they care about the welfare of the socially disadvantaged?

The answer from the DRK archive:

Thank you for your request, which the GRC forwarded to me as a freelance archivist. Unfortunately, most of the archives of the GRC General Secretariat were lost towards the end of the Second World War. Very little archive material from the period before 1945 has survived. During an initial search, I was unable to find any documents relating to Kurt von Behr.

If they had all really acted socially, the DRK files would not have disappeared. Certainly not. They would have been there.

A draft of a Wikipedia article on Kurt von Behr, which has since been withdrawn, read:

> *Kurt von Behr came from a noble Lower Saxon family.[1] He took part in the First World War as a non-commissioned officer and was taken prisoner by the British after only a short time.[2] In 1924, he married the Englishwoman Johanna Guzmann Chake in London.[1] Between the wars, von Behr appears to have been in the service of Carl Eduard Duke of Saxony Coburg-Gotha. The same source also speaks of his employment in an insignificant diplo- matic post in Venice, which von Behr allegedly had to give up due to his involvement in an insurance fraud[3].*
>
> *After coming to power, von Behr seems to have taken the opportunity to return to the diplomatic service - in this case the Foreign Policy Office of the NSDAP (APA).[4] In July 1933, von Behr had joined the party.[5] In the following period, von Behr stayed in Venice again,[6] then presumably in London[7] and then in 1936 in Majorca, where he is said to have participated in the persecution and murder of German emigrants during the Spanish Civil War.[4] During his stays abroad, von Behr also provided the Gestapo with information about Germans living there.[6]*
>
> *Through his former employer, the Duke of Saxony Coburg-Gotha, president of the "Gleichgeschaltete" German Red Cross (DRK) since 1934, von Behr first became a field commander and later a senior commander of the DRK.[8] In 1940, von Behr was possibly involved in setting up the Institute for the Study of the Jewish Question of the "High School" for the APA in Frankfurt am Main.[9] In any case, von Behr was in Frankfurt when he was requested by Georg Ebert, head of the Reichsleiter Rosenberg [ERR] task force in Paris, in early September 1940.[10]*
>
> *• [5]*
>
> *Individual references*
>
> *1. ↑ a b c Walter von Hueck: Genealogisches Handbuch der adeligen Häuser. Noble Houses A, Volume XII, Limburg an der Lahn 1973, p. 35.*
> *2. ↑ James S. Plaut: Consolidated Interrogation report No. 1, Activity of the Einsatzstab Rosenberg in France, 15.08.1945, p. 46. in: Microfilm Publication [M] 1782, National Archives, Washington 1999.*

3. ↑ James S. Plaut: Loot for the Master Race. In: The Atlantic Monthly, Volume 178, No. 3, September 1946, p. 63 [[1]]

4. ↑ a b Franz Spielhagen: Spies and conspirators in Spain. According to official National Socialist documents. Paris 1936, p. 152 f.

5. ↑8

6. ↑ a b Letter from the Secret State Police to the Foreign Office and reply, June and July 4, 1934, fragments, R 30294, Political Archives of the Foreign Office of the Federal Republic of Germany.
gen Amt, Berlin, quoted from: Vom Hofe, Alexander: Vier Prinzen zu Schaumburg-Lippe und das parallele Unrechtssystem, 2008, p. 260 f [[2]]

7. ↑ N.N., Nazi organization in Mallorca works for the rebels in: Pariser Tageszeitung, Vol. 1, 1936, No. 57, 07.08.1936. p. 2 [[3]]

8. ↑ James S. Plaut: Consolidated Interrogation report No. 1, Activity of the Einsatzstab Rosenberg in France, 15.08.1945, p. 46. in: Microfilm Publication [M] 1782, National Archives, Washington 1999, Ders., Loot for the Master Race in: The Atlantic Monthly, Volume 178, No. 3, September 1946, S. 63. [[4]]

9. ↑14

10. ↑15 Further sources follow

I searched through all the remaining files again. In a marginal note in the fire file it says: "The financial circumstances are unclear". So it was (also) about money, not about misconduct. The Gestapa was investigating Adolf and the denunciation was made by the prisoner Göring-von Behr. These are facts, not speculation. And I would like to remind you of an entry in Ingeborg-Alix's memoirs:

> *Renowned lawyers were called upon to deprive him of the right to dispose of the vast property and above all the household assets and to prevent the youngest siblings from coming under the influence of this woman [meaning Ellen, the author].*

3. Journey

What connections had come to light! Spain is my cradle, Spain's historians wrote about the person who had spied on and denounced Adolf. Ellen and he died in a Spanish-speaking country, Mexico.

Did Adolf and Ellen know about the tailing? Did they know that they were in danger or did they think they were safe? Did they suspect that Prinz-Albrecht-Straße 8 in Berlin had opened a file on them? Did they know that Reinhard Heydrich was "responsible" for them? Did they know that Inge-Borg-Alix, their sister-in-law, was a friend of Heydrich and Himmler?

In the spring of 1936, Adolf and Ellen went on a "trip around the world". Not a trip around the world, a trip to Mexico, continuing on to Guatemala.

On a world tour, swastika relief? (Source: private archive)

They had already traveled the world before. Here is a photo from an album, with the words, "Adolf and Ellen on a trip around the world".

Why did they travel to Mexico? Perhaps to switch off, to see something different. Did Adolf and Ellen have their suitcases packed at the Villa Belle Maison in Höllriegelskreuth or did they pack them themselves? Did they pack on the island of Brijuni? Belle Maison is said to have been their last home in Germany. Who packed for them? What was put in their suitcases?
packs?

Villa Bellemaison,
Höllriegelskreuth,
Zugspitzstrasse 15
(Source: Geocoaching)

I found a quote from Carl Sternheim on "Villa Bellemaison" in the "Ground- speak-Blog".

> *We decided to put our strength for life to t h e test, to create the most visible monument to our love. [...] I asked my brother-in-law to draw up plans for a castle of thirty rooms in the Louis XVI style, for which I had bought a large piece of woodland in Höllriegelskreuth near Munich, high up on the riverbank with a view of the Bavarian Alps.*

"Bellemaison" (popularly known as the "Sternheim Villa") was built in 1907 and 1908 according to plans by Gustav von Cube. The property, in which Sternheim also presented his art collection with works by van Gogh and Renoir, even had a theater. The Sternheims did not skimp on money: "The former interior was extremely sumptuous with opulent stucco and wooden ceilings as well as silk wall coverings." (*Modernism and its collectors*, p. 255). While the poet caused scandals with his works in the years before the First World War, he ran an upper-class house in Höllriegelskreuth, in whose guest book Heinrich Mann, Anette Kolb, Frank Wedekind, Paul Cassierer and Tilla Durieux, Eberhard von Bodenhausen, Max Reinhardt and Hugo von Hofmannsthal immortalized themselves. In 1912, the Sternheims sold the property for
650,000 marks and moved to Belgium.

Adolf acquired it in the 1920s. Three years after his death, it was sold to the "Biological Hospital Foundation". This foundation was subordinate to the Ministry of the Interior. The house was mainly used by Nazi greats such as Rudolf Hess and Martin Bormann for recreation. This information

I received this information by telephone from the administration of the Linde company, which was based there in 2004. The direct proximity to the Rudolf Hess Reich Settlement and the Führer's Siegfried Headquarters in Pullach (today the headquarters of the BND) would also speak in favor of this.

The façade of the building is beautiful and reminds me of the Fürstenhof in Bad Eilsen. Did Adolf and Elisabeth really pack their bags here in March 1936 to embark on their last journey? Perhaps they stayed in Bad Eilsen or Steyrling beforehand. Whoever knows won't tell me. I must not know. I can't know anything. They traveled from Hamburg to Mexico on a steamship called Iberia, Iberia, a name that evokes Spain par excellence. On March 20, 1936, they reached Veracruz on board of the Hapag steamship. I know that Adolf smoked. This is what the smoking salon on board the Iberia looked like.

Left: Smoking lounge on board Iberia

Below: Steamship Iberia

The steamship Iberia was built in 1928 by F. Schichau in Danzig. Tonnage 9,829, dimensions 460 x 60, 4 screws, 15 knots. It was christened Rio Magdalena, renamed Iberia and finally, under the Soviet flag, Pobeda. It was in service until 1980, for 52 years.

Adolf and Ellen died in the crash of a Ford TriMo tor on March 26, 1936. I found a picture of the plane that crashed. Charles Lindbergh had flown in it.

Ford Tri Motor

As a child, I had misunderstood my mother's story. She told me that Adolf had flown and had an accident. "You know, Uncle Adolf flew and had an accident". My childish imagination, nourished by picture books, perhaps it was Tintin's adventures. Tintin flew propeller planes very often, often crashed, with a parachute, remained unharmed, he was a hero, made me believe that he too had been a pilot, a sports pilot or something, with a flying cap, waving yellow scarf and aviator goggles. A scarf is usually yellow (who doesn't remember Chang's scarf in Tibet?). I thought he had flown. Flying is dangerous. He crashed because he made a mistake. I imagined an airplane bursting on the ground, on some ground, and dark clouds of smoke rising after an explosion.

At the time my mother told me about it, an airliner crashed in Bilbao, I think it was at Archanda, in the sixties. We visited the crash site. There was no fire. The plane, completely and

white, lying on its belly with its wings torn off and its fuselage crushed. It lay there peacefully, there had been no fatalities. The crash in Mexico was very different. Passengers and crew died in the plane crash near the Popocatepetl volcano.

The passengers:

1. Marie Margarethe Harder (Hamburg)
2. Adolf Prince of Schaumburg-Lippe (Munich)
3. Elisabeth zu Schaumburg-Lippe, née Bischoff-Korthaus (Munich)
4. Baron Siegmund von Stieber (Munich)
5. Viktoria Thein (Bremen)
6. Dora Thein (Bremen)
7. Baron Doctor Elmer von Rohonczy (Budapest)
8. Adolf Franz Igler (Vienna)
9. Elisabeth Schroer (Dortmund)
10. Liesbeth Pust (Zullehorn; Zellerhorn?)

The crew members:

Adrian Borchers, Technical Assistant, (Philadelfia, USA)
J. Preciado Acosta, Pilot, (Mexico D.F.)
Adolfo Limón, Radio Operator, (Mexico D.F.)
Daniel Madrigal, Steward, (San José, Costa Rica)

Dietmar Bartz helped me to identify some of the casualties. I would like to thank him.

Details of the deceased passengers:

Marie Margarethe Harder, also known as Käte Kestien, was born on March 27, 1898 in Schleswig Holstein. She was a German author and film director. She was the daughter of a maid and a laborer and published her first poems in Low German in 1920. She worked as a prison guard in Hamburg and wrote for the Hamburger Fremdenblatt. In 1929, she moved to Berlin and took over the management of the SPD's film and photo service. She was also a member of the federal board of the Arbeiter-Licht- spiel-Bund and published the film and photography service's bulletins from 1929 to 1931. Influenced by the Russian revolutionary film

In 1929, she directed her first short documentary entitled Der Weg einer Proleta- rierin. In 1930, she directed the feature film Lohnbuchhalter Kremke. It tells the story of an employee whose job loss drives him into depression and ultimately to suicide. In 1935, under the pseudonym "Käte Kestien", she published the novel *Als die Männer im Graben lagen* about the living conditions of women during the First World War. In *A Night in a German Munitions Factory,* she described the dangerous working conditions to which factory workers were exposed.

Siegmund von Stieber: The genealogy of the von Stieber family is printed in the *Genealogisches Handbuch des in Bayern immatrikulierten Adels*, p. 448: "Friedrich Wilhelm Stieber, born September 4, 1846 in Roth, died April 15, 1915, was a factory owner and was elevated to the nobility. Shortly after his death, his widow was made a Bavarian baroness. Wilhelmine (Minna), née Hindlein, was the daughter of a converted Jew. Siegmund (Hanns Siegmund) was their son and was born in Roth near Nuremberg on April 17, 1897. Friedrich Wilhelm Stieber was the founder of the Leonische Drahtwerke. Wilhelmine (Minna), Wilhelm's widow, donated Ratibor Castle to the municipality of Roth near Nuremberg in 1942." A gift to the municipality of Roth in 1942 looks like expropriation.

Rohonczys owned a fort in Felsöpulya, today Oberpfullendorf in Austria; the town was the seat of a Hungarian tax office. One Elemér Rohonczy was a first lieutenant in the 20th Hungarian Infantry Regiment in 1918.

Dora Thein did not want to board the plane on March 26, cried, and was finally persuaded to board.

Adolf Franz Igler survived the crash by a few hours. Adolf Igler married Franziska Tugendhat, born in Brno on March 27, 1896, in Vienna on May 10, 1927. Igler, an industrialist, had a villa on Lake Erlaufsee. A year ago, I wrote to a Mrs. Doris Igler de Boersner in Tegucigalpa (Guatemala) via Facebook and asked her if she was related to Mr. Franz Adolf Igler. She only answered after eleven months and said that she was the daughter, seven years old in 1936. Her mother's name was Franziska Tugendhat. I found an open letter that she had written under the title "Letter from Caracas". It has since been taken off the net.

Letter from Caracas by Doris Igler de Boersner

The political situation here under Hugo Chávez is mixed. Some of it is good and most of it is bad, because it is undemocratic and fascist. One person thinks he has all the answers, and nobody else is ever consulted. The good part is that the poor have gained some sorely needed respect. They haven't gained much else, I'm afraid. If you ask around in the barrios, people will tell you that this is a miserable government, but they will vote for Chávez any day because, and I quote, "he res- pects us." That goes a long way towards explaining why demagogues and populists find such fertile ground in Latin America.

The objective truth is unfortunate: A power-hungry man is at the helm with unlimited petroleum funds to spend, or better said, throw around, because that is what he is doing. He buys up other countries' debts and funds while in his own country, because of all sorts of natural disasters, there are thousands of homeless who have been waiting for some decent shelter for the past six years. The govern- ment is incapable of producing housing, and the roads all over Venezuela are falling to pieces. Chávez is very keen on being admired abroad, and therefore the resources of this country are being spent on showy international stuff rather than the basics at home.

At our age, we are not thinking of leaving. We are not Americans. We have been Venezuelan citizens for the past 60-odd years. My husband and I have both been refugees once in our lives, and we do not intend to repeat the experience. I came to Venezuela at age 13, after several years of trying to stay one step ahead of the Gestapo. My mother was Jewish, and after my father's death we left Cze- choslovakia in l938 and hid in her aunt's home in Paris until 1941. We walked out one dark night - New Year's Eve - and with the help of a French freedom fighter we got from occupied France to Vichy France. From there we got to Cara- cas with the help of one of my uncles, who had emigrated to Venezuela earlier. In France we had been technically stateless, and could only leave because Venezuela granted us a "courtesy" passport, paid for by my uncle. So I owe this country a great debt of gratitude.

My husband was born in Hamburg and spent his high school years under the Nazis. He fled for his life with the help of a Quaker organization, which paid his passage to Venezuela. He is eight years older than I and was no longer a child when it all happened. He can write volumes about Hitler's rise to power. He arri- ved in Venezuela at age 18, penniless. However, we fortunately have German

citizenship, which was given to my husband as part of the "restitution" process after the war. It includes me and our children, who were minors at the time.

So you can why all this here is a "déjà vu" for us both. It's been a carbon copy of Hitler's maneuvers, step by cunning step, even including something akin to the Reichstag fire. Hugo has read his Mein Kampf *with care. Dissidence has become a crime punishable by jail. All the institutions and elections are in his pocket, so he can do whatever he pleases.*

The personal insecurity is enormous, but since we no longer go out much, it doesn't influence our lives too terribly. One gets used to being careful, closing the windows and locking the doors while in the car. We live in a condo with private guards, so we feel reasonably safe. I walk every day, but always within the condo walls, which are spacious.

The fear we have is that our dictator will some day decide to abolish all private property.

(Source: http://www.wellesley.edu/Alum/Classes/1950/docs/ 1950OurWorld06_WEB_sm.pdf)

I didn't get any further in Mexico. I had even written to the funeral home (Gayoso). Adolf's estate settlement revealed that an expert report on the crash had been prepared by the Kaiser Wilhelm Institute in Germany (yes, in Germany). Unfortunately, I have not been able to obtain any further information on this. The costs of the unsuccessful trip were reimbursed, the package price amounting to 3000 Reichsmark. The life insurance company Viktoria was involved. Hapag-Lloyd (the Hamburg-America Line) claims to have found nothing in the archives. Mexicana de Aviación was a subsidiary of Panamerican. There was no information at Panamerican either, although a file should have been created. A very extensive search with unforeseeable ramifications was necessary.

In Madrid, I went to the *Hemeroteca* in the Conde Duque to read the daily press from Mexico. The *Diario de Yucatan* and the *Excelsior were the* newspapers that reported most comprehensively. They also raised the question of whether the plane had been the victim of an assassination attempt. There is a tradition of conspiracy theories in Mexico. For example, there are Mexicans who believe it is possible that the Mexican Interior Minister Francisco Blake, who fought against drug cartels, was killed by sabotage during a helicopter attack.

died in the crash. I think that is also possible in principle. Blake was the second Mexican minister under Calderón to die in a crash. Juan Camilo crashed in Mexico City in November 2008.

Powerful drug cartels (one of the capos was number 34 on the Forbes list of the richest men in the world) are certainly capable of bringing down a helicopter or an airplane. Would Heydrich have been able to "bring down" an airplane? I think so.

The *New York Times* of March 27, 1936 reported on the front page and on p. 17 about the plane crash:

> *Amecameca, March 26, 1936 Heard engines miss fire*
>
> *Observers in this little town of Amecameca, watched the giant air kiner falter as the pilots sought altitude to fly over the pass. Then they heard the engines miss fire. A few minutes later, after the plane had circled the little mountain twice its pilot pointed toward Mexico D.F, but slithered down among the rocky crap of the saddle bewtween the two volcanoes.*

"Then they heard the engines miss fire": A misfire can cause a bang, but also a small bomb. Continue on p. 17:

> *The plane, said a witness of the accident, passed over the town of Amecameca flying low when it was between the volcanoes it apparently developed engine trouble, for it circled as if the pilot intended to return to the landing field. South- denly the ship became enveloped in smoke and it crashed with great speed to the earth and burned completely.*

There is talk of an *engine problem* and smoke development *before* the crash. The Mexican press reported on March 28 that the engines were buried on March 26. Why buried? Eyewitnesses to the crash had reported that there were misfiring noises. The engines should have been examined in any case. But they were removed immediately, even though there were 14 fatalities. The *New York Times* headline read: *"14 Die in Worst Mexican Air Crash"*.

On March 27, 1936, Compañia Mexicana de Aviacion (a branch of Panamerican) put the wind gust theory into circulation. It was disseminated in Germany. However, the *New York* Times *report* was the earlier one. *Diario*

de Yucatan and *Excelsior* spoke of a gust of wind or an unexplained cause. Not a word about a misfire or *engine trouble*. Compañia Mexicana de Aviacion had the engines removed immediately. The plane that crashed was the "México" airplane, which had been put into service in 1929.

The registration number of the "México" at that time was M-SCAN; the aircraft still had the US registration number 9661 for a while; later the registration number was X-ABCB. When it was handed over by PAN AM Mexicana de Avia- ción (January 1929), it was given the registration XA-BCO.

The exact crash site is called "Cerro Venacho". According to the Izta Popo National Park, it is a hill. The coordinates of the zone known as Zumpango are: 19° 05' 30" N and 98° 40' 38" W. The
Coordinates of Cerro Venacho are 19° 06' 49" N y 98° 40' 21" W. The distance to the volcano Popocatépetl is about 10 kilometers SW, easy to find with *google earth.*

The plane therefore did not come into the immediate vicinity of the volcano. However, Adolf's sister-in-law wrote on p. 377 of Vol. 2 of her memoirs:

> *Adolf's death*
>
> *In the same year that we went to Sofia, fundamental changes took place in the Schaumburg-Lippe family. My brother-in-law Adolf had traveled to Mexico with his wife. They had rented an airplane to get to know the country and flew over its volcanoes. Adolf's wife asked the pilot to fly closer to the crater, but he refused because it was too dangerous due to the rising hot air; he would not take responsibility. But this woman did not let up, she also had the guests who were flying with them vote, they agreed and then the pilot made the turns over the volcano tighter and deeper! It happened what had to happen - the plane crashed and all the occupants died!*

The account is not credible. The accident site was not directly next to a volcano. It was 32 km from Amecameca and 10 km from the volcano. There was no hot air there. The description is "hot air". I also don't know who is supposed to have reported on the behavior of "this woman" in the cabin. Mr. von Igler? Ingeborg-Alix accused Elisabeth posthumously of having caused the crash.

Naturally, Stephan was very shaken by the terrible news - now Wol- rad was the head of the family. - The quarrels would come to an end. Nevertheless, Stephan was very worried about how the management of the still large estate of our house(?) would cope with all the problems in these troubled times. We did not attend the funeral of the barely identifiable woman, which took place in silence - at some point. [Of the siblings, only Wolrad and Heinrich attended, author's note]. A sad chapter in the family's history came to a tragic conclusion. Wolrad endeavored to resolve the disagreements that still prevailed at the time and to meet the justified demands of his brothers in order to restore peace in the family. He himself had suffered too long from the discord not to strive for and consolidate normal conditions. Now it was possible to clear up and settle occasional differences of opinion in reasonable discussions.

In the years between 2009 and 2011, Alexander and I had a heated, written exchange of ideas:

Do you know what was found among the belongings of our great-uncle (Adolf) at the crash site in Mexico? A copy of the Semigotha. Do you know what that means?

The Semi-Gotha is the short name for the *Weimar historical-genealogical pocket book of the entire nobility of Yehudaic origin*, published in 1912 in the first volume. **What was he trying to tell me?** Was he implying that Adolf was anti-Semitic, that he had not been persecuted but was a Nazi friend, a Jew-hater?

This made me think of the beautiful silver bread bowl that my mother always put on the dining table in Spain. She had inherited it from her father Heinrich, who inherited it from Adolf. That's the way it is with everyday objects. You don't look at them too closely. You use them, pick them up, enjoy the sight of them, but don't give them much thought. There is an engraving on the inside bottom of the bowl: *"Feldafing 1928, Viererspiel m.V. - 1. Preis. Given by Mrs. Maria von Bleichröder"*. A tennis prize. In the age of the Internet, I searched for Maria von Bleichröder on google books and found out that she was the third wife of the Jewish banker Dr. James von Bleichröder. Dr. James' daughter, Elli von Bleichröder, had been in Theresienstadt since July 27, 1942. Dr. James von

Bleichröder had been co-owner of the S. Bleichröder banking house. Ellie von Bleichroeder was liberated in Theresienstadt. Her picture was shown in the propa- ganda film *Theresienstadt* in sequences 22 and 23.

I don't believe that Adolf was an anti-Semite, quite the opposite. Whether he carried a Semigotha or not. During Adolf's lifetime, the administrator of Estancia San Ramón, Bariloche, Argentina, was a Mr. von Reinach (von Reinach is the name of a Jewish banking family). Under B 323 Treuhandverwaltung von Kulturgut (Federal Archives) at the Oberfinanzdirektion München I find "1 Dokumentation zur Behandlung von Kunst- und Kulturgütern 1934 bis 1945".

Confiscated collections can be found under B 323/279: "Joseph Reinach Collection, St. Germain (REIN)", "Léon Reinach Collection, Chambord Castle (LE REI)".

Under B 323/301: "Inventory list Léon Reinach, Chambord Castle".

B 323/312 contains: "Loading list for the transport on May 4, 1944 to Nikolsburg/Lower Danube", "List of crates 'M-AKTION'", "List of crates Nikolsburg", "List of crates Leon Reinach, Brissac Castle".

Under B 323/431: "external restitution: vol. 13". Contains, among other things: "Reinach"

A note on the M campaign: It was organized by Kurt von Behr, "Head of the West Office". So we meet again.

After Adolf's death in 1936, there were notable promotions. Adolf's brother Stephan, who worked in the Foreign Office, was **promoted to promoted on Bormann's "warmest recommendation"**. He joined the German embassy in Rome as a legation councillor. The carbon copy of the letter of recommendation was sent to Bohle. The connections to Italy, Rome, the foreign organization of the NSDAP and the Foreign Office become very clear in the following notes made by Ingeborg-Alix.

[From volume 2]

[Italy (1936) When I visited the foreign organization of the NSDAP in Berlin at the end of our stay in Bulgaria, I found it installed in a large modern block of houses on Bayrischer Platz. I wanted to deregister as head of the Bulgarian women's organization with Wera Behr, but the

Gauleiter asked me into his room. I gave him a final report on my work in 1934-36 and thanked him for his support and understanding. Bohle asked me what I intended to do in Italy! [...] I would like you to build up an exemplary women's organization for me in Italy! [...] I asked who had led the working group in Italy so far. "Nobody," said Bohle, and then he told me that it was still a secret, but he realized that he had to tell me the reason for his request: In 1938, the Führer would pay an official visit to Italy and thus enter his territory. I should understand that an exemplary national group would have to be built up by then!

[p. 2] I went to Wera Behr, put her in the picture and left the AO as head of the women's organization in Italy!

[p. 3] Many people who had no "relationships" knew that we had them or would have the opportunity to establish them.

[p. 12] Again and again I found that the softest point was at the top. My knowledge of human nature told me - "a decent guy - but not enough for special achievements. There's a lack of toughness." [...] I was confirmed as regional women's leader, the NSV and DAF were set up. The work could begin; a time of focused and extremely hard work! [...] The task now was to found the individual local groups throughout the country...

[p. 13] By mid-1937 - i.e. within a good six months - the local groups Rome, Milan, Bologna, Bolzano, Merano, Florence, Genoa, Lombardy East, Livorno, San Remo, Turin, Venice, the bases Catania, Palermo, Domo, Varese, Verona were set up.

[Himmler had offered to make Stephan an honorary leader with permission to wear the uniform. My husband felt little inclination to accept this offer. But I advised him to do so. [...] Nobody likes to mess with the Reichsführer SS, and it was he personally who made Stephan an honorary leader.
"black color". We had also become "supporting members" during the fighting period.

[p. 32] Hermann Göring was generally very nice to us [...]. [p. 40]

Conversations with the Reichsführer SS
One of the first visitors we witnessed in Rome, personally invited by the Duce by hand letter to the festivities of the 12th anniversary of the re-establishment of the Italian police, was the Reichsführer SS, Hein-

rich Himmler. He was accompanied by Obergruppenführer Daluege, whom we had met several times before, a very friendly and humorous man with no great pretensions, the head of the German security police, SS Obergruppenführer Heydrich, and Gruppenführer Wolff. We also knew him better.

We had already known Himmler since Josias (Josias Prince of Waldeck) brought him to Lehnsahn (family seat of the Grand Duke of Oldenburg, the author) years before the seizure of power, when he was still a small, insignificant graduate farmer.

Although he was one of the active National Socialists, his name was one of many. - Himmler was always friendly to us. Even later as a powerful man [...].

[Himmler was very amused and said: "Heydrich, how would it be if we assigned the princess to the State Security Main Office for the local area?" This joke was to have consequences!!! Some time later, I received an official letterhead with the head mark of the Reichsführer SS and a kind of certificate of appointment as, for example, the Southern State Commissioner of the Main Security Office. Enclosed was a very humorous letter from Himmler! A great joke: eight years later it could have cost me my life or many years in prison. If - my severely tested guardian angels hadn't been paying attention [...]. When I found it in 1947, my hair stood on end, even after the fact! Five minutes later, the paper went up in flames.

[Josias (Waldeck, the author) and with him Altburg (the author's sister, the author) had come to Rome as the team leader of the SS riders, which we found very nice [...] Then the wife of the Reich Foreign Minister got out of the car and the ladies Keitel and Himmler followed her in packs,

Dietrich, Frank, Buch, Hess and, and, and...

[p. 183] Now a brief look behind the scenes

My specific task was to work side by side with state security officials.

The security service had to identify every person who entered this territory (grandstand, the author) through the barrier as belonging to us or reject them as unknown... So I stood at the "narrow gate" and my gaze wandered for hours from the lapel of my jacket over my face to my sleeves, many thousands of times to nod "yes"....

[p. 185] March 4. At 10 o'clock the Duce met the Führer in the Quirinal...At 10.20 the Reich Ministers Ribbentrop, Hess, Dr. Goebbels and the Reichsführer Himmler also arrived at the palace [...].

[p. 240] Stephan forged links with the Foreign Office, which Neurath had taken over and where Josias also served for some time as an informer for the Reich Chancellery.

What kind of environment had that been? Ingeborg-Alix cleverly never mentioned that Kurt von Behr was shadowing Adolf and Ellen. They, Stephan and Friedrich Christian, must have known. No one else in the family?

The Political Archive sent me an unsolicited diplomatic letter on April 25, 2004:

If you will allow me to make a personal assessment, I think it is impossible to find any documents on the murder plot against your uncle that you have assumed. The case itself and the involvement of the Foreign Office in particular would be too sensational to have escaped the attention of researchers, who have been working intensively on the files from the Nazi era for almost 50 years, and especially the international commission of historians, who have spent decades compiling the above-mentioned edition.

I agree. A normal user may not be able to find anything in the Political Archive. But that doesn't mean that Adolf wasn't the victim of an assassination attempt. It may be that no documents can be found that substantiate the suspicion of a murder plot against Adolf. But the circumstances of his death, the available documents, Adolf's childlessness, the simultaneous death of his hated wife, wealthy, living in unclear financial circumstances, targeted by the Gestapa: all this raises many questions.

Kurt von Behr, Göring, Himmler, Ingeborg-Alix, Wolrad, Friedrich Chris- tian, Stephan and the Nazi supporters in the family **had no great interest in preserving Adolf and Ellen's lives**. Adolf and Ellen's deaths fitted in perfectly with the concept. I couldn't imagine Adolf with Hans Frank in Krakow, not even as a supply commander of the Oberfeld kommandantur, Wolrad yes. Alive, Adolf was worthless to the Nazis, an obstructive figure for the Nazi ranks. Dead, he was valuable, eliminated. Nor would he have advocated underground relocations in Bad Eilsen or the Lahde penal camp in the Steinbergen quarry, Wolrad yes. As an emigrant on Brioni, he was not safe. And my cousin showed a

astonishing openness in an interview in *Stern* in 2001, issue 24, p. 212 f., when he said that the Popocatepetl volcano was his "sacred mountain". I had contacted him in 2001.

My mother told me that Stephan did not want to be buried in the mausoleum in Bückeburg. He was buried in the garden to the left of the entrance to the mausoleum. My grandparents, Adolf and Ellen's ashes, Wolrad and Bathildis, Georg, Adolf Georg (...) Stephan and Ingeborg-Alix are not in the mausoleum. Nor did they take part in the burial of Adolf and Ellen.

My "observations" published on the Internet were also read abroad. On May 22, 2009, I received the following e-mail:

> *Many thanks for the most recent article and for your very helpful response. Now I understand (better).*
>
> *It is so striking how our research experiences and our books are similar. I too endeavored to clarify whether there was a murder plot (in the case of the Hessens, of Christoph Prinz von Hessen, whose plane crashed near Forli after seemingly heading off course in October 1943, as he attempted to return to Germany and find out what had happened to his family). I could not resolve the issue, but an assassination by the SS seems a distinct possibility.*
>
> *Thank you for keeping me informed about your work.*
>
> *All the best,*
>
> *Jonathan PetropRulos*
>
> *Ph.D.*
> *John V. Croul Professor of European History and*
> *Chair of the History Department*
> *McKenna College Claremont, CA 91711-6420*

4. Didi

Friedrich Christian at around the age of 18 (source: private archive)

My investigations were met with incomprehension and resistance. But they were conclusive.

I can well understand that descendants of those who were anything but passive in the "Third Reich" would like my
They despised my "scribblings" and called me a "nest-soiler". They thought they had to stand by the others. Wherever and whenever they could, they wrote to me, sometimes under their real names, sometimes anonymously, repeating that my research was ridiculous, purely conspiratorial and unbelievable. They posted in a similar tone where I "published" my research results. Sometimes I doubted.

I remembered a saying by Bertrand Russel: *That's the whole pity: the stupid are so sure and the clever so full of doubt.*

But the saying doesn't fit. The issue is more complex. It's not about stupid and clever. Nobody is stupid in this "game". It's about information policy and media advice. If there is a threat of a revelatory book, even if it is the most unqualified and untrustworthy of all, then there is a threat of damage to image. That is why it is necessary to "kill the messenger" right from the start in order to destroy the news.

I read the many books by Friedrich Christian, known as Didi in the family. I read them all because he was a key figure. His "adjutancy" with Goebbels

He took up his post at a time when the Gestapa was investigating his eldest brother.

Friedrich Christian in SA uniform
(source: private archive)

Friedrich Christian noted on January 11, 1934 in his diary:

> *This certain [G] lived in his arsenal of explosive assassination devices. This man had a whole archive of them. The Führer had once inspected it when he visited him here in Berlin. He saw the most amazing things. Penholders and pencils with detonators built into them. They exploded after a certain amount of time and were capable of causing the most devastating damage (...). He had some that were set for months and some that were set for years (...) The Führer said that he had been in this gentleman's rooms at the time (...) But what was it?*
> *Did our Führer have anything to do with this man? Well, in the early years of our movement it was the case that all men who were really determined to resist sought each other out (...)*
>
> *(from:* Als die goldene Abendsonne, Tagebücher 1933-1937*, F.C. Prinz zu Schaumburg-Lippe, 1971, p. 55 f.).*

Once again: penholders and pencils with built-in detonators. Which exploded after a certain time and were capable of causing the most devastating damage ... All the men who were really determined to resist sought each other out ...

Are we dealing with a violent person? If such a note were to be found on an extremist today (and Friedrich Christian was an extremist), then we would be dealing with a "violent person". Perhaps he would be in custody, especially after the **Zwickau**

affair. Perhaps he would have been protected by "constitutional protectors".

You could cause devastating damage with a pen. Then there would have been no need to use a bomb. Such a bomb could have been a precursor to the bomb developed by Jock Lewes in 1941. It weighed a pound and was made of thermite, Nobel 808 plastic explosive plus flammable liquid (engine oil). *The Other Desert War: British Special Forces in North Africa, 1940-1943* by John W. Gordon: *"Using a delayed fuse, the charge was placed on enemy aircraft. The preferred location of placement was where the wing met the fuselage."*

Why shouldn't similar devices have existed in 1936? One-pound bombs, fixed to the fuel-filled wings, pressure release, time fuse - and good flight. A spring holder with a time fuse is also a possibility. Seems less complicated to me, especially in times when passenger checks must have seemed laughable compared to today. A pen holder is put into a passenger's hand luggage and have a good trip.

Many people resented the fact that I thought an assassination was possible. It's strange that Friedrich Christian never wrote about Adolf's death, even though he published many books. Perhaps he did write about it, but had to destroy his notes. Friedrich Christian's later published diary was censored. On p. 204 of the *Goldene Abendsonne, the* footnote reads: *"Here - in the middle of the text - the 5th volume ends in 1934. This is followed by two pages from May 31, 1935 and the continuation in April 1936 [...] Pages were also cut out [...] Today I don't know what it all meant. The reason was probably my intention at the time to publish the diary, but Dr. Goebbels forbade it."*

It is very strange that the entries were removed between 1934 and April 1936. Adolf was investigated from 1934 (I would prefer to use a different verb: "sought"), he and Ellen died on March 26, 1936, and the urn burial took place in April.

Another interesting entry in the diary:

> *Monday, April 9, I am to resume my duties. During this vacation, on March 26, 1934, it was one year ago that I entered the service of the Rei-*

was taken over. At the time, I had written to the 'Doctor' to make myself available to his newly established ministry" (op. cit. p. 124). "First naval parade, Reich Party Congress in Nuremberg, Reich Farmers' Day on the Bückeberg, with the 'Doctor' (Goebbels) at the League of Nations in Geneva. [...] Before that already with the 'D o c t o r' in Italy, Rome, Mussolini, Balbo and so on. (S. 125)

May 2, 1934: (Hitler) He invites me to come to dinner with him in the evening [...] the 'Doctor', Mrs. Goebbels, Miss Goebbels, Brückner, Schaub, Stenger, Himmler and others are also there. (p. 138 op. cit.)

Goebbels, Himmler and Hitler are there. Nice "company party". Why is Friedrich Christian interesting? Because he looks so beautifully "Aryan"? Because he is so gorgeous, so intelligent? No, he's interesting because his brother Adolf has a huge fortune that everyone is after.

Did Friedrich Christian really not know *"what it all meant"*? Did he not know why Goebbels banned the publication of the diary entries from 1934 to 1936?

At Friedrich Christian's request, the Reich Farmers' Day was not to be held on the Bückeberg, but in Bückeburg! Bückeburg, the provincial nest, the hub of the National Socialist rural world? Nonsense. Friedrich Christian with delusions of grandeur.

On April 20, 1934, Heydrich became head of the Gestapa in Berlin, Himmler inspector. Göring remained nominal head.

On June 11, 1934, the Secret State Police Office in Berlin, Prinz Albrecht-Straße 8, investigated Adolf, who was living in Brioni (Italy) at the time, under file number III 3. 1424/34. Informer and Gestapo agent: Kurt von Behr.

The Gestapa's business distribution plan was dated January 22, 1934, so it would be necessary to check whether III.3 was a department, a division or a unit. The Secret State Police Office was divided into nine departments, including departments responsible for explosives and attentions. Yes, the investigating Gestapa had a department for assassinations.

The investigations against Adolf took place 6 weeks after the successful meeting in Berlin between Friedrich Christian, Hitler, Mr. and Mrs. Goebbels

and Himmler took place. The 28-year-old Friedrich Christian sat stiffly in the chair, felt like a person of the utmost importance and eagerly told Hitler about his brother's life, how exciting. He will also have chatted about Ellen, a "non-Aryan" person who is said to have jeopardized the huge fortune. Adolf wasn't an NSDAP member after all. A bit effeminate too, you know what I mean, Mr. Hitler,

Konradin von Kaisenberg holds a camera. Georg looks from the side (circa 1905).

Himmler and Goebbels. I'm quite different, I've been part of the movement since the very beginning. The House of Schaumburg-Lippe will actively support national socialism, which is hardly to be expected from the emigrated "wimp who stands in the way". But you can count on me, my siblings Wolrad and Stephan. They are there. I am the son of a prince, a real prince who
"red prince".

Hitler, Goebbels and Himmler must be listening carefully. Why? Did they have an aristocratic stick? Oh, how exciting, a prince! Did Himmler have to waste his time listening to the stories? Just like that, chatting? No. Himmler had already investigated Adolf and Ellen earlier. There was no improvisation. Understandably, six weeks later the Gestapo machinery was producing papers.

I think I have an explanation for this approach. To do so, I need to expand a little. The reader may remember the photo of Georg and Konradin von Kaisenberg.

Marie Anna was pregnant in 1905. Friedrich Christian was born in January 1906

was born. My mother had already told me many years ago that Konradin von Kaisenberg was Friedrich Christian's biological father. When he was born, Marie Anna was 42 years old and von Kaisenberg was 29. She also told me that this affair had a negative impact on the family. She didn't mean it as a moral rebuke, but as a subjective "root cause" for the discord in the family as perceived by my mother. Georg, my mother said, was a gentleman. He knew it, according to my mother, who had heard it from her father. My mother also told me that Georg had made a testamentary disposition that Von Kaisenberg was to be "preserved" for Marie Anna, that he was to be cared for for the rest of his life. I have a copy of the will. It's true.

Other family members have also confirmed this. I cannot claim that Friedrich Christian was the son of Kaisenberg, but I can confirm that there was and is subjective certainty in the family. To say it straight away, Friedrich Christian is equal in every respect, whether his father was Georg or Konradin. It doesn't matter who a person is descended from. Descent does not guarantee integrity. I am not condemning Marie Anna, who, if it is true, turned to the young Konradin. I would like to make a different point. The rumor about Frederick Christian's parentage is a fact. It could be that Frederick Christian was ridiculed or looked down upon by the brothers because of doubts about his parentage. This may well have been the case in the "high aristocratic" circles that emphasized lineage, tradition and morality. Elite consciousness and discrimination go hand in hand.

But back to Friedrich Christian. According to the "prevailing opinion" in the family, he was not Georg's biological son, but the son of Mr. Konradin von Kaisenberg. This may be the origin of his rabid and excessive National Socialist commitment. Inferiority complexes that set in motion a fanatical - there is no other way to describe it - activism. In a much later letter from my grandfather to Wolrad, I read a phrase that made me sit up and take notice: "I, as my father's son, don't want to earn my money like this". I asked my mother what he meant by that. Without batting an eyelid, she replied. It was clear he was referring to Friedrich Christian's lineage. My grandfather was referring to the Aryanization that Friedrich Christian later carried out. He had sold blocks of houses to a Jewish family in the

Hackesche Höfe "taken away". Wolrad recommended that my grandfather stock up in a similar way. Heinrich didn't want to make a fortune that way. He had learned moral principles from Georg, his biological father.

Friedrich Christian, Goebbels' adjutant, the Reich orator, the speaker of the "Feuerrede", when the book burning took place, claimed a prominent role, protagonism, also because he was "highly aristocratic". I suspect that he knew exactly that he was "different", at least in the eyes of his family members, according to his own thought patterns. I heard the "reproach" from another side when I raised the subject in a historical context: "And if you (i.e. I) are not Prince Henry's grandson?" You have to expect such counter-questions. Nowadays, paternity tests and DNA analyses are part of everyday life. So if it had to be ...

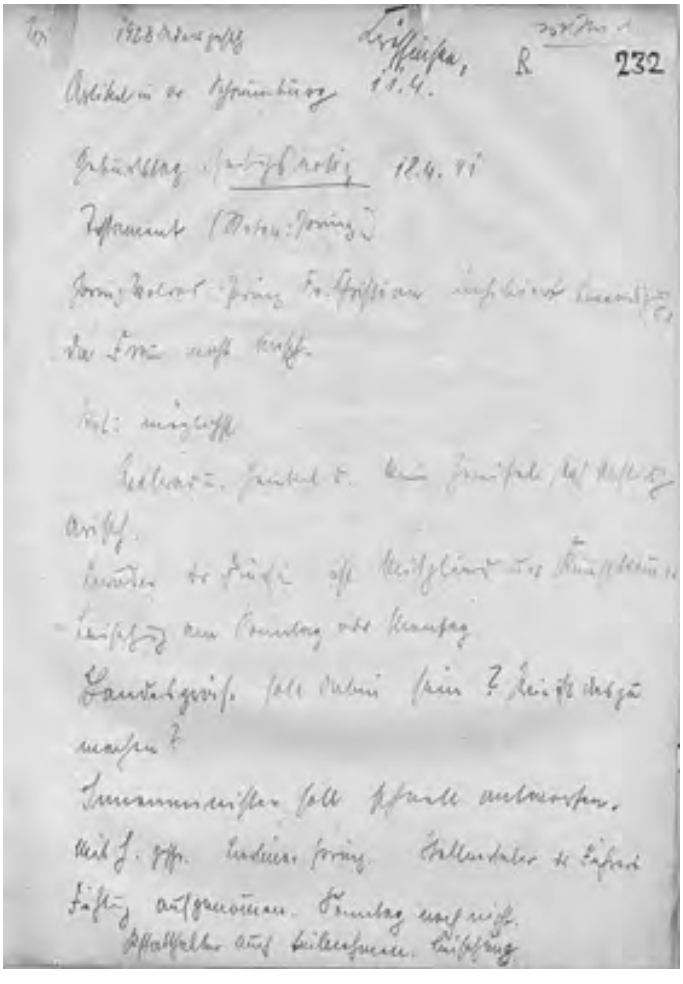
As a 17-year-old, my grandfather had to watch as his father was embalmed in 1911. Georg's coffin was laid out near the altar in the town church in Bückeburg. He remained there for years. Marie Anna touched the coffin with her hands during a church service in 1918, unaware that the wood had also been infested with cadaveric poison on the outside. The embalming had probably been successful, only the best were allowed to do this, but the heating near the coffin encouraged the spread of the poison. Marie Anna touched her face, touched a small open wound and the sepsis took its course. Heinrich and Adolf were with her on the night of her death.

Friedrich Christian was legally an orphan in 1918, at the age of twelve. If von Kaisenberg really was his father, I think he soon found out. Children notice things like that. Von Kaisenberg was almost blind due to an accident. He died at the age of 45 in 1923, when Friedrich Christian was 17.

Did the young Friedrich Christian develop pathological resentment towards Adolf? National Socialism offered Friedrich Christian a home, perhaps Goebbels and Hitler were father figures. Did Friedrich Christian get back at Adolf? Would he have been able to sic the Gestapa on Adolf and Ellen? I say yes, because he sent the Gestapo to my grandfather's house (Bückeburg Castle) because he was not a party member but a Freemason and read many a book that was not flawless (see p. 250 f. of *VPpU*).

I received a note about a telephone call from the office of Alfred Meyer, then governor, later a participant in the Wannsee Conference. Adolf and Ellen had just died. The note referred to Adolf's will and the fact that Elisabeth was "not Aryan". A funeral was not appropriate in Bückeburg after all.

The remark "not Aryan" came from Friedrich Christian. Couldn't he keep his mouth shut? A reference full of hate.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Alfred Meyer's office memo, 1936, StA Detmold L 76 No. 179 (Source: Detmold State Archives)

As for the "accusation of non-Aryan descent", Friedrich Christian's intention was to make the Nazis hate Ellen. For anti-Semites, every opponent is either Jewish or "juvenile". This accusation had certainly been made before. Something else worth noting at this point. If you read the biographies of Ernst Torgler, Hinrich Wilhelm Kopf and Friedrich Christian, there are striking overlaps. Torgler was a defendant in the Reichstag fire trial and was represented by lawyer Dr. Alfons Sack, a star Nazi lawyer.

Ernst Torgler
(Source: Federal Archives)

Hinrich Wilhelm Kopf
(Source: Bundesarchiv)

Hinrich Wilhelm Kopf became the first Minister President of Lower Saxony and the first President of the Bundesrat.

Friedrich Christian lent money to Robert Ley for the purpose of financing printing works. The loan was to be repaid by the transfer of an estate in Posen. Quote from *Son- ne im Nebel*, p. 69 f., author Friedrich Christian:

The decent man through whom this matter was to be handled at the Treuhandstelle Ost and whom I therefore got to know and appreciate at the time was called Hinrich Kopf. For many years after the war, he was the highly respected Minister President of the state of Lower Saxony. In the fifties, he offered me the position of district administrator in Schaumburg-Lippe. But I had to turn that down too. because I was afraid that this would cause a conflict of interest with the Princely House of Schaumburg-Lippe. But Hinrich Kopf - who is also a co

was a member of the Federal Executive Committee of the Social Democratic Party - remained a loyal friend to me until his death.

Ernst Torgler and I then met in Bonn during the sessions of the Bundestag. He had become a member of parliament for the SPD. The meetings with this man [...] had come about because he had been evacuated to Bückeburg during the war with the Treuhandstelle Ost, where Hinrich Kopf also worked ... (p. 204 f. op. cit.)

Torgler then stayed in Bückeburg and even got a civil servant position. Rare alliances. Friedrich Christian the Nazi, Torgler the Communist and Kopf the Social Democrat served the Nazi regime.

The Reichstag fire occurred on February 28, 1933, and on April 1, 1933, Friedrich Christian became Goebbels' adjutant.

The Reich Ministry for Popular Enlightenment and Propaganda, founded on March 13, 1933 under Joseph Goebbels, was still being established in March/April 1933. On May 9, Goebbels had Friedrich Christian declare his willingness to give the "Fire Speech" on book burning in Berlin on May 10. Fire is once again the protagonist.

Ernst Torgler worked for the Ministry of Propaganda in 1940. Years earlier, he had been suspected of setting fire to the Reichstag. Fire as a propaganda tool? Fire was sometimes used to dramatize the purification of malicious writings (book burning), also good for staging a malicious attack against state institutions (Reichstag fire) and a means of staging the attack on "Jewry" (Reichspogromnacht).

Torgler appreciated Friedrich Christian. Torgler worked for the Haupttreu- handstelle Ost and was evacuated to Bückeburg of all places in 1945 with the HTO Ausweichstelle. Did Torgler, Kopf and Friedrich Christian really only meet in 1940? That is not credible.

Was Torgler an undercover agent of the Nazis and as such really involved in the Reichstag fire? This approach could refute the sole perpetrator theory of the Reichstag fire. Torgler's acquittal paved the way for the sole perpetrator thesis. As a fake KPD member, Torgler provided the propaganda alibi for the Communist agitation through his self-suspicion. The constitutional body of the Weimar Republic became

physically and legally destroyed, in line with the wishes of the majority of the former high nobility. Wolrad wrote to Karl Dreier, the President of Schaumburg-Lippe, "as a National Socialist of his clan":

> *[...] if I did not do everything to restore to my house the property rights that were unjustly taken from it by the Marxist-influenced government of the time, disregarding the legal situation and under the pressure of a falsified public opinion.* (p. 54 of the *VPpU*)

The life tables of Torgler and Kopf are extremely opaque. However, they show considerable parallels: the HTO is relocated to the provincial town of Bückeburg. Both later rejoined the SPD. Both the British and the state government of Lower Saxony did everything possible to prevent the activities of Torgler and Kopf from becoming public knowledge. Reports on Kopf's extradition proceedings (he was to be extradited to Poland for war crimes and activities in Auschwitz) were destroyed in summary proceedings in 1948. Willy Brandt saved Kopf from extradition to Poland. Even today, the British files still contain so-called *green card notices* (permanent ban).

It needs to be clarified whether Kopf and Torgler were in fact staunch National Socialists. That's what it looks like. And why shouldn't Torgler have taken part in the Reichstag fire as an "agent provocateur"?

Martin Otto wrote about Willy Brandt in the *FAZ* of March 27, 2010 on
In contrast, the historian Peter Brandt (Hagen), Willy Brandt's son born in 1948, emphasized with the ironic introduction "I'm not a Brandt expert, just a relative" that all parties of the early Federal Republic had made an effort to deal with the "little Nazis". Were Kopf and Torgler "little Nazis"? Only Nazis were allowed to work in the HTO, that will make sense to anyone. Result: Torgler, a Nazi, was involved in the Reichstag fire and was acquitted because he was a Nazi. He appeared at the trial in the disguise of a KPD member. Who destroyed the Polish reports about Kopf? Were they kept under lock and key in Hanover? The Foreign Office and the State Chancellery of Lower Saxony remain stubbornly silent.

This is a brief sketch. Is it any wonder that this story interests and occupies me, and that I would like to deposit it in a library?

An average person with an average life takes a look behind the scenes. In my cousin's opinion, this is pathological behavior. I think it's much more worrying to give up this research that has been started. It's only too understandable that Alexander shies away from this research and locks documents away or has them locked away. When he sometimes writes to me in anger, he proves that he is human.

But Friedrich Christian was not the only one to develop extreme activism. Ingeborg-Alix, Stephan's wife, was even acquainted with Himmler and Heydrich.

Ingeborg-Alix, circa 1931 (source: private archive)

5. Kammler

archive)

Stephan's wife, Ingeborg-Alix, was in relatively close contact with Himmler and Heydrich. **She spent the first days of May 1945 in Prague together with Kammler and Count Pückler-Burghauss**.

One question has occupied historians for decades: **Did Hans Kammler actually die on May 8, 1945?** Kammler's son, Prof. Dr. Jörg Kammler, bought my first book in 2006 and welcomed a critical discussion. He sent me transcripts and copies of letters that In- geborg-Alix, Adolf's sister-in-law, had written to his mother, Jutta Kammler. I would like to thank him for this.

In a letter dated April 29, 1951, written in Rastede, Oldenburg, he described

Hans Kammler
(Source: Federal Archives)

Carl Friedrich Graf von Pückler-Burghauss
(Source: Bundesarchiv)

Ingeborg-Alix
(Source: Federal Archives)

Ingeborg-Alix describes the events in the days from April 30 to May 8, 1945 in Prague. Kammler was declared dead on May 9, 1945 by order of the Berlin-Charlottenburg district court on September 7, 1948.

Kammler's significance in contemporary history is certainly outstanding. The question of whether or not he died in Prague on May 9, 1945 is one of the greatest mysteries, comparable to the unresolved questions of whether Bormann managed to escape or whether the Amber Room was burned.

In 2006, I reported on Kammler's underground installations in my first book. The book is freely available on the FU Berlin's document server. I claim academic freedom. I grant anyone who is interested the opportunity to access my research from 2006 free of charge.

With this second book, I would like to give everyone the opportunity to read excerpts from the letter that Ingeborg-Alix wrote to Mrs. Jutta Kammler about seven years after the end of the war. Private aspects are left out. After consideration, I have come to the conclusion that the absolute "interest in secrecy" must take a back seat. I reproduce the wording of the letter in excerpts:

> *But now I don't want to wait any longer, because I am very depressed that I have still not been able to keep the promise I made to your dear husband.*
>
> *Mrs. Kammler, I was with your husband until almost the last minute and I am grateful for that, because he was an u p r i g h t , brave and loyal personality in the middle of the chaos during those terrible days. -*
>
> *Let me reconstruct the events of 6 years ago as best I can and bring back to life everything that filled those hours with horror but also with greatness - back then in Prague. -*
>
> *I had been sent there myself and was given the task of taking care of the women and children. Prague was in its most beautiful spring splendor when your husband appeared, full of energy, like a storm sign. It must have been April 30th. Everything was still peaceful, although the attitude of the population was becoming unfriendly. They lived in the deepest peace. I can still remember the screaming difference when, after wandering around for days and wearing the appropriate clothes, I came out of a small town into the*

se elegant city, where people - uniformed and civilians - walked the streets dressed and groomed!

When your husband appeared, he brought the first reliable description of conditions in Bavaria. I shall never in my life forget his drastic accounts of the prevailing conditions there and the attitude of the higher ranks, but I do not wish to repeat them here. You will probably know them, because, if I am not mistaken, your husband made sure that you came to a quiet place with the children.

In the evening we sat at Count Pückler's, the B.D.W. [Author's note: It should actually be B.D.W. SS, the representative of the Waffen-SS. Is that a deliberate misnomer?], where I lived - his family had already left, the countess is a cousin of mine, and we were together when the news of the Führer's death came through. It was originally your husband's intention to go to Berlin. "That's where you belong now!" he said in his short tone. But he couldn't get through. - When the catastrophe there reached its climax, things began to seethe in Prague.

On May 4, at 9 o'clock in the morning, I crossed the gallery of the enormous staircase of our office building, which was located on the bank of the Vltava opposite the Hrad- schins. Your husband had just stepped through the large glass doors that separated the forecourt from a kind of hall on the lowest floor. You could see down from all floors. The building was made of concrete and very bright. My office was on the same level as the offices of the B.D.W. Her husband came up the stairs with springy steps, his face expressing anger and contempt, his dark eyes sparkling with indignation! He called out to me in a resounding voice: "Princess! The bastards shot me like a gangster!" He hurled these words into the room so that they resounded! With the shot of the "blue policeman" from his traffic tower, the riot broke out! Her husband discussed the situation with Count Pückler. The whole town turned into a war zone in no time at all. Women and children streamed into the building seeking shelter, and we didn't leave again until May 8th. It was teeming with soldiers - mostly from the H.J. Division. A military hospital took in the wounded, and a mass camp for civilians, mostly women and children, was set up in the cellar, for which I was responsible. A somewhat difficult situation arose because Pückler was the commander and your husband was the senior officer. In addition, he was much more temperamental than the calm Count Pückler and did not always share his views, the former

Your husband moved into a room above Pückler's offices and both Pückler and your husband took me into their confidence from time to time as a neutral person. As a result, I had the opportunity to mediate between the two "lions" and was able to correct many a misunderstanding that inevitably arose in the confusion of those precipitating events. I only mention this because I got to know your husband thoroughly through these conversations that arose from the situation. Mr. Purucker was with him with two adjutants, of whom I only remember the name Gmeiner, while the very young Wehrmacht lieutenant disappeared from my memory. Both made an excellent impression! - I would very much like to know where they have gone. - On the evening of May 7, the fighting slowly died down. There was an assault gun in the entrance to the building, ML's were shooting out of the windows on all sides and fending off the storm on the building, the houses all around were burning, the dead lay in the streets. The jet fighters bombed the squares in front of the offices and fired their weapons. Many of our rooms had bullet marks on them. The Czechs, the partisans, the unleashed concentration camp prisoners shot at us from the roofs, from the streets, from the windows. Women and children were driven through the streets, our wounded were murdered or thrown out of the windows onto the street, where they lay with broken limbs. Then the Russians approached, shot at the Germans and the Americans approached from Pilsen, but they stopped there! On the evening of the 7th I lay down on a sofa to sleep for a few hours, because we were to leave the next morning. The Czechs had allowed us to leave freely after long negotiations conducted by Count Pückler! - The room in which your husband and Purucker had lodged with the two adjutants was next to the small room. Both belonged to the casino. Your husband asked to be allowed to go through, but then he stopped in front of me, leaned on a folding screen that stood at the "foot" of my bed and told me how the departure was to take place. Then he said, while his eyes went into the distance, "The Americans are after me. They have made me offers! I will never serve the enemy! I come from a family of officers and the motto of our family is: Lewer dot as Sklav! That also applies to me and I will act accordingly. They won't take me alive! Tell that to my wife and give her my regards - if you get through, she's brave and will understand me."

At that time I made a promise to your husband, whom I learned to respect with all my heart in those days, which I am only able to keep today and which I have carried around with me full of inner restlessness until this day!

Her husband wanted me to ride in his car. But as I had a car of my own, I rode in it. He wanted me to hitch up directly to his car. But in the meantime the Russians were approaching and the departure was very fast. My car stopped! When it started up again, your husband had disappeared and I was driving further back in the endless column. The engine failed again and I was hurriedly taken over by a Volkswagen driven by an Obersturmführer from Arolsen. This stop saved my life, otherwise I would have been shot at at close range by a Russian tank, whose victim we picked up. After three attempts to escape from Prague, we finally succeeded. South of Prague we got caught up in the mass of the retreating Schörner army, which blocked all the roads. At a general halt, I saw your husband for the last time two cars behind us at the crossing of a small bridge. He was sitting in his car, his serious eyes completely absent and full of boundless grief, it seemed to me that he no longer belonged in this world. I was gripped by the greatest concern for him. I wanted to go to him, but as I was holding a seriously wounded man in my arms, it was not possible. I tried to make contact with him, but he neither heard nor saw anything. Everything stands before my eyes as clearly as if it had happened yesterday. Then the cars turned around to go elsewhere, but we had to go back again. Her husband's carriage had probably remained there together with Count Pückler's, for after about 20 minutes, when we stopped again not far from that spot, he came slowly up the road with Purucker and the adjutants. Her husband was missing. I noticed the expression on everyone's faces, which was very withdrawn.

Later, the next evening, when I met Pückler again in captivity as commander of the American camp, he told me that your dear husband had died shortly before. His grave is in the forest, next to the wide road leading to the Vltava.

Three days later, Count Pückler mentioned your husband's death to me again and I was present when he was informed by another party of your husband's very belated departure, and I clearly remember that he said "They notice everything too!" as he shook his head. On the eve of his death, Count Pückler again mentioned the end of your husband and wished that he had died so quickly and without a fight. I mention this des-

half as detailed, because rumors keep surfacing that your husband was alive. Count Pückler, however, was an eyewitness. Gmeiner also spoke to me about it when he later approached the truck in which I was sitting during the transport by the Russians, as he wanted to "bunk" together with me. I never saw him again. We women were separated from the men and I was able to jump out of a convoy of disabled people, which I had secretly joined, before the Red Commissars discovered me.

In a later letter dated March 31, 1955, Ingeborg-Alix wrote from Kempfenhausen:

In the last days of April, Hans Kammler, coming from southern Bavaria, joined the staff of the commander of the Waffen SS there, Count Pückler Burghauss, in Prague. I already knew him from Alsace, where he and Obergruppenführer Pohl inspected the school of the SS-Helferinnen Korps, where I worked as a home director, as I was conscripted like every German woman under 46 [...]. The worst thing for him (Hans Kammler) was that he was condemned to inactivity; his plan to join the Führer and fall beside him when the war ended was no longer feasible after the outbreak of the Czech uprising. His strong sense of camaraderie also prevented him from leaving us alone in this terrible situation. He was filled with contempt when he thought of those leaders who left their men to fend for themselves. He called them the harshest names and the corners of his mouth curved downwards in contempt. - One of these evenings he came to us while the shots were whipping in the streets and told me that he would not be able to survive the end of Germany, because his family's motto was: Lewer dot as Sklav! He said it very calmly and clearly and then added that Ingeborg-Alix should say it [...] later, if I should be fortunate enough to survive this downfall [...]. The revolution in Prague began when a policeman there shot Hans Kammler. I can still see him storming up the stairs of the huge stairwell of the police station with great elastic strides and shouting: "Those bastards shot me like a gangster!" I should drive out of Prague in Hans Kammler's car when we were given free passage! But things turned out differently and I saw Hans Kammler once again very close as our cars passed each other at a bridge where there was a big stop. His gaze went beyond this life and burned with a deep pain. Then, shortly afterwards, death overtook him. That was on a sunny day,

hot day in May near the Vltava. I believe today that he would hardly have survived imprisonment, he would have been broken as a human being - he would have had to answer for everything he did in accordance with his oath, and the enemies would have taken the rope from him that they had intended to give him anyway. On top of that, however, he would have shown a contempt that alone would have been enough to forfeit his life! So he also died the death of the free man according to his wish! Lewer dot as a slave! He knew that the Americans would make him offers as an expert, he had proof of that. He would never have accepted them. That alone would have sealed his fate.

In June 2010, a book by Kristian Knaack was published with the subtitle *Die Kammler-Akte*. I quote from it:

Next to Kammler was Preuk at the wheel, with First Lieutenant Fritz Gmeiner and Kammler's boy Allmann in the back. Directly behind them came the car with Obersturmführer Heinz Zeuner, next to him Oberführer Erich Purucker and in the back seat Ingeborg-Alix von Schaumburg-Lippe, the second highest SS leader in the Reich, and her shepherd dog [...] [p. 317]

[p. 319] What happened on the small road in the forest can be reconstructed from the statements of the Princess of Schaumburg-Lippe, driver Preuk [p. 321] and Obersturmführer Heinz Zeuner. The Princess reports in her private memoirs and in letters to Mrs. Kammler. The records of the Princess of Schaumburg-Lippe are kept by her daughter, Marie Alix Duchess of Schleswig Holstein, on the Bienebeck estate in Damp, where she and the Obergruppenführer had been with Count Pückler since the Prague Uprising and drove behind him in a vehicle to the stop on the road behind Sulice. Princess zu Schaumburg-Lippe saw Kammler pull up very close to her, she wrote [...].

Princess Ingeborg-Alix zu Schaumburg-Lippe claims to have known that [p. 324] Franz Knebel shot Hans Kammler in the back. Hans Kammler is said to have been buried in the forest.

Ingeborg-Alix informed Mrs. Kammler of Kammler's death, but did not explain how he died. Tactfulness towards the widow?

Ingeborg's report does mention that the Americans had made offers to Kammler. She states unequivocally that Kammler died in Prague.

Is Ingeborg-Alix credible? Certainly with regard to the question of whether she lived with Kammler in Prague with Count Pückler at the time in question, and also with regard to the question of whether she fled with these people.

But if someone were to ask me whether Ingeborg-Alix was always credible, I would answer: Not always! It depends. If she had the intention of circulating a certain image or legend, she was very capable of being "creative". I know one example. In her memoirs, she wrote that the plane crash in Mexico in which Adolf and Ellen died was due to Ellen asking the pilot to fly over the volcano. The pilot had refused to fly over the volcano because of the hot air coming out of it, but Ellen "wouldn't let up". Therefore, the pilot had to fly over the volcano (see p. 279 of the *VPpU*). These statements do not stand up to scrutiny, and Ingeborg-Alix must have known this. The plane did not come close to the volcano, did not fly over it. How does she know that an experienced pilot let himself be ordered around by a passenger when there were no survivors, no witnesses? Who would have told her that Ellen didn't let up?

On page 469 of the publication *Bunte Bilder aus Bewegten Zeiten 1938-1945 Teil 2*, shelfmark of the service library of the Staatsarchiv Bückeburg cb 100, Ingeborg-Alix wrote after 1969:

> *May 10, 1945*
>
> *Noon, traffic jam outside Prague, Jewish cemetery, I saw Oberstgruppenführer Kammler stopping very close to me. His face was stony, so I didn't dare call him. He was sitting very straight in the back of your car. Count Pückler walked along a wide road with the gentlemen of his staff, who were then joined by Kammler. After perhaps half a lap of waiting, I saw Count Pückler coming back up the road, which ran through a dense fir forest. Kammler was not among them. There was a deep seriousness on all their faces.*

That was all. Not very meaningful. Did she write so little because 25 years had passed? Had she become tired? Had she lost interest?

lost? I don't think so. The volume of memoirs she wrote after 1969 runs to almost 500 pages and is full of details. She wrote almost nothing about Kammler. Depictions of Ingeborg-Alix should be treated with caution, as should those of Friedrich Christian.

In her memoirs, she also wrote that she later burned her certificate of appointment, signed by Himmler, as the Southern State Commissioner of the Main Security Office (see p. 271 of *VPpU*).

Her sister Altburg married Himmler's adjutant and later SS weapons general Josias Prinz zu Waldeck und Pyrmont. The third sister in the family, Sophie Charlotte, was married to SA-Oberführer Harald von Hedemann. According to Udo Elerd and Ewald Gässler in *Die Geschichte der Oldenburger Juden und ihre Vernichtung* (1988, p. 153), he actively assisted in the arson attack on a synagogue.

In her letter of April 29, 1951, addressed to Mrs. Kammler, she finally explained:

> *I have kept the word I gave our men - to care for their families. This is how the "Hilfswerk der Helfenden Hände e.V." came into being, whose first chairman is my uncle Adolf Friedrich Herzog zu Mecklenburg. No words are needed to say that from now on you [meaning Jutta Kammler] are part of the circle of carers. For me it means a comradely duty, because I wore the same skirt as your husband.*

The "Hilfswerk der helfenden Hände" was one of the most efficient Nazi refugee aid organizations, a "rat line". It was founded by Helene Elisabeth Princess of Isenburg.

On p. 119 of the well-known work *Das Amt und die Vergangenheit, Deutsche Diplomaten im Dritten Reich und in der Bundesrepublik* (Conze, Frei, Hayes and Zimmermann, 2010), it is mentioned that "as early as 1933, Friedrich Franz Erbgroßherzog von Mecklenburg, a scion of the high nobility, had joined the Foreign Office, the forerunner of the AO".

> *Legation Secretary Friedrich Franz Hereditary Grand Duke of Mecklenburg, a nephew of the Queen of Denmark, had been a member of the NSDAP since 1931 and joined the SS before the seizure of power; he was currently (1943) serving in the SS on the orders of the NSDAP.*

Himmler's appointment with a unit of the Waffen SS (*Das Amt*, p. 315)

Josias Prince of Waldeck and Pyrmont was married to Altburg, sister of Ingeborg-Alix.

> *Waldeck had already joined the NSDAP and SS on November 1, 1929. From April 1930, he served as a full-time SS leader as adjutant to Sepp Dietrich and Heinrich Himmler. He had no qualifications for his appointment as a Legation Councillor in the Foreign Service: He had neither the diplomatic training nor the necessary assessor's examination. Nevertheless, for political reasons, as stated in a letter from the Foreign Office to the Reich Ministry of Finance, he was given a permanent position on May 31, 1933 [p. 57,* The Office*].*

To complete the picture, I refer to a letter from Ingeborg-Alix to the Reichsführer SS dated October 3, 1944 (Bundesarchiv NS 19/3102 fol. 1-4):

> *Dear Standartenführer Brandt,*
>
> *As all letters pass through your hands, I would like to ask you to send my congratulations to the Reichsführer! - Now the work here is nice, so close to the front! I am very happy because I am now to take over the leadership of the Führer School of the SS Heleferinnenkorps - A great deal has changed for the better since the time I began corresponding with you - Despite a few alarms, it is now very busy here - Is there actually no exhaustive writing about the Reichsführer's person from which one can fully understand his tremendous work? The SS helpers keep asking (illegible). So far I have only found very incomplete short essays. They always want to hear everything about his youth and so on, typical stories about Heinrich Himmler the man. Although it is typical of the Reichsführer, it is a pity that there are no such stories! Even in foreign countries the distorted image could often have been set straight. Heil Hitler! Your Princess Stefan zu Schaumburg-Lippe*

The Federal Archives file contains a draft reply. Brandt wrote:

> *The distorted image abroad and probably also to some extent at home*

about the personality of the Reichsführer SS would certainly hardly be changed by such reports [...].

From another letter to Himmler:

SS Helferinnenschule Oberehnheim, currently Police School Heidenheim a.d.Brenz, November 30, 1944

Dear Reichsführer!

As an opportunity presents itself, I would first of all like to thank you warmly for confirming me as a leader in the SS-Helferinnenkorps. We had the opportunity to put our vocation to the test these days! Our march back to the Rhine was a bit ticklish, but I really felt in my element! All around us the muzzle flashes of the developing battle, thanks be to God a mighty storm, so that no Jahos bothered us and in the midst of it we! All pettiness disappeared, a splendid camaraderie brought us closer together as human beings, the girls behaved impeccably and sang their way through all the rain, dirt and sore feet again cheerfully, as befits SS helpers. No straw bed, no lying on the hard ground on blankets somehow made them feel tired. The atmosphere was and is first class [...]. They often said that the Reichsführer would take care of them. You should know that, because I think it gives you a little pleasure, despite all your great worries. Best wishes and Heil Hitler! Your Ingeborg Princess Stefan zu Schaumburg-Lippe

On the "girls" (from the *order sheet of the Chief of the Order Police*, 2nd vol. Berlin, January 13, 1945, No. 2, p. 16):

SS helpers worked as teleprinters or radio operators in the concentration camps Auschwitz, Buchenwald, Dachau, Flössenbürg, Mauthausen, Mittelbau, Natzweiler, Neuengamme, Sachsenhausen and Stutthof as well as in the administration of the concentration camps in the SS economic and administrative headquarters in Oranienburg. SS helpers also worked in RSHA offices, for the commanders of the SS police and SD and for SS task forces in the occupied territories in Poland and the Soviet Union. The total number of female SS helpers trained at the Reichsschule SS up to May 1945 amounted to around 3,000 women.

This would explain how it came about that Hans Kammler and Ingeborg-Alix fled at the same time and in the same direction. In particular, those who worked in concentration camps and underground relocations fled. The greatest slave owner said: "Better dead than a slave!"

In this context, it is fitting that Wolrad had a great interest in acquiring Wubag Maschinenfabrik und Isolierrohrwerk AG in Bückeburg. This company had become a military enterprise on October 1, 1941 and supplied Focke Wulf, based in Bad Eilsen. He acquired the shares in February 1944. Before that, he redeemed the existing loans that the Bank der Deutschen Luftfahrt AG had granted to Wubag and had the collateral assigned to him. Wubag became sadly famous under the company name Gemag. There, 300 female forced laborers were mistreated.

Wubag/Gemag not only supplied Focke Wulf, but also Messer- schmidt, Maybach and Henckel. It also supplied the Home Artillery Park, Karlshagen/Pomerania (Peenemünde Army Station, Department LC2, Captain Römer). The LC 2 department in the Technical Office was responsible for the development of remote-controlled aircraft.

Finally, I would like to add an anecdote. I received by mail copies of the file Geheim 91/45 dated January 21, 1945, from the personal staff of the Reichsführer SS. Kammler sent a telex to Himmler's adjutant Brandt:

> *Reichsführer SS has instructed me to report the following: Princess Maria The- resia zu Salm-Horstmar and Princess Maria Luise zu Salm-Horstmar rescued the dead and injured in an exemplary manner in the park of their castle Varlar near Coesfeld during a stand dismantling of the V 2 and immediately bandaged them and took over their care [...] the Princess is 34 years old and comes from an old noble family from the Braunau area. The princess is 22 years old and the sister of the captive Hpt. Prince of Salm-Horstmar. The Reichsführer SS intended to present the two ladies with a g i f t and a Christmas plate as thanks.*

Brandt sent Kammler two Christmas plates and a pound of coffee for the aristocratic ladies on Himmler's behalf. The person who gave me this docu-

ment wrote a very clear comment which I would like to reproduce here: "... Yes, I was quite astonished that the top echelons of the SS apparently had nothing better to do in the final phase of the war than to pander to the Allies in a sycophantic manner and hand out nasty julets ... or were these perhaps attempts to weave rope teams against the gallows rope of the Allies?" I replied that I hadn't thought of that yet. Definitely worth considering. And Ingeborg-Alix later stood up for the comrades of the "Sippengemeinschaft" with an Isenburg at the "Helfende Hände".

I would also like to let my grandfather Heinrich have his say. He wrote in his diary on p. 391:

> *April 25, 1946 was Ingeborg here, who escaped from the occupation authorities in an adventurous flight. She worked partly as a domestic servant for [...]. She talked a lot about the time of the collapse [...] Collected energy, somewhat overstretched arc. Politically completely unchanged. In her eyes, Bormann is to blame for everything, evil spirit of the Führer. He himself was a broken man because his personal physician had experimented with injections on him, the head of state. In the beginning, the result was an increased working capacity of the brain, but over time a transformation took place which had such an effect that he would have fallen into a completely unrestrained optimism. All the mistakes he had made were thus dismissed and at the same time excused. So much for Ingeborg. She completely forgets that this unrestrained optimism already existed at the time when he had the arrogance to take the helm of the state. When I then referred back to the numerous murders, e.g. during the Röhmputsch (seven hundred shootings in Lichterfelde alone), she said that someone had exceeded his authority. Done, simply finished, put aside. The fact that National Socialism violated all spiritual laws from the very beginning is flatly denied. It is strange how a person who is so open to all things spiritual can allow himself to be so devoured by the devil in his assessment of a matter. It is completely impossible to move her even a little in a different direction. I think she is afraid of losing the ground under her feet completely. Counter-arguments are immediately at hand for everything and anything, everything negative is overlooked or, if it can't be overlooked, disregarded or trivialized. A completely hopeless case in her current state. [Henrich had never read Ingeborg's much later notes, the author]. [S. 392]. For Didi [Prince*

Friedrich Christian] not a word of praise high enough. She even claimed that he had always reported to the front. I still remember exactly how he told me in Berlin, full of horror, that he had written to K.V. [...] and that he immediately asked for a follow-up examination, which then "saved" him. But she didn't see that this was a completely straightforward development. Despite all their enthusiasm, people of their ilk were not tolerable, because this rabble was fully aware that they would be resisted from this side in their beastly activities. But they do not realize this and so the case is hopeless. When Stephan comes out of the camp, he will have a hard time finding his inner balance. [...] With the most careful consideration and empathy, I tend to think that we are dealing here with a variety of mental disorder. She said only one sentence, which must be emphasized, that she believed that, in a sense, cosmic opposites were at work. There dawns something of what is the real cause, namely that National Socialism is of demonic origin, as are all the subsequent catastrophes we are living through today, even if the demon has changed horses. But the whole thing gives a very vivid picture of the force with which the demon seized even such valuable people as Ingeborg. The whole thing is a great sorrow, especially as it seems to be as contagious as an epidemic. Misguided leadership instincts, repressed ruler complexes on the one hand, and on t h e other the innate art of keeping people in line. Therein lies a great responsibility. A large percentage of the members of the former ruling houses have [p. 393] been too active, and it is to be hoped that they will now finally come to their senses, for otherwise these families will shut themselves down. Monarchies cannot grow on this quicksand, still less take root.

6. Henrikus Maria

I reported on the conditions in Wolrad's quarry in Steinbergen in *V PpU*. Between 1943 and 1945, the SS had set up a penal camp at the Lahde penal camp. Many young men were forced to work there under inhumane conditions until they died. Quite a few were murdered. I published the list of deaths known by name. One name caught my eye right from the start: Henrikus Maria Vierling. In 2005, I had not been able to find out anything about him. I only knew that he was a 23-year-old Dutchman who was murdered together with 36 other prisoners. He was born on May 19, 1920 in Brandreng (?). He died on December 28, 1943, and the report on his death was not drawn up until April 18, 1944. More details can be found in my book from 2006, chapter 18, on p. 149 ff (152).

I asked for clues on the Internet. A helpful "contributor" promptly wrote that "Brandreng" could be Bandung, then a city in the Dutch East Indies (now Indonesia). The cities of the East Indies were home to many Dutch people (civil servants, etc.). Dietmar Bartz, who gave me several tips, added: Bandung was called Bandoeng at the time/today, by the way. Then I asked if someone could translate this text:

> *Henricus Maria Vierling, born 19 mei 1920, Bandoeng. Goirleseweg 37. Overleden 28 december 1943, Steinbergen, 23 jaar. De tragiek van de Tilburgers die na 27 oktober 1944 in Duitsland zijn overle- den, was dat zij het slachtoffer werden van bezettingsmaatregelen die op dat moment in hun woonplaats al verleden tijd waren. The tragedy was also that this was more than the help of all the Tilburgers who had come to work and live in Germany. We would like to thank them for their kindness: as a result of an unconventional approach.*

I found the text on a website about the history of Tilburg. Dietmar Bartz was kind enough to translate it:

> *After October 27, 1944. The tragedy of the Tilburgers who died in Germany after October 27, 1944, was that they were victims of occupation forces.*

who had already died in their place of residence. The tragedy was also that more than half of all Tilburgers were forced to go to Germany to work and died there.

Behind the address Steinbergen 144 were the adjoining rooms of Arensburg Castle (one of Wolrad's "princely" lodgings). According to Wolrad and his successors, the quarry was and is the property of the "Head of the House of Schaumburg-Lippe". The list of names I compiled was based on information from the registry office of the town of Rinteln, the investigation files of the public prosecutor's office in Bückeburg from 1988 and the Steinbergen Quarry Case from 1948. The causes of death are taken verbatim. In the case of Klaus Maria Vierling and Theodor Peters "Cause of death unknown" noted.

A "snippet" on Google Books mentioned an H M Vierling from Delft. In fact it was Henrikus Maria Vierling.

1944
HM Vierling, Delft mechanical engineer employed at the Thiess works, who was arrested early in November as a result of a remark he made in a private conversation and was transferred to the Lahde Camp where he died late in December [...]

I also found a student newsletter with the title *De Geus onder studenten* from May 15, 1944, issue no. 26, which reported on the fate of students who were deported to Germany: "19.
H.M. Vierling (T.H. Delft, werkt. ing.) was once employed by Adolf Thies Apparatebau. This student was arrested at the beginning of November of the same year on the basis of a nitlating in a special court case and then transferred to the criminal court in Lahde. He is there in the 2nd half of December. After a few weeks and still at this point in time, he was released from custody."

Here is the translation:

19 H. M. Vierling (T.H. Delft, tool engineer) also employed by Adolf Thies Apparatebau. This student was arrested at the beginning of November last year on the basis of a remark made in a private conversation and was also transferred to the Lahden prison camp. He died there in the second half of December. Even after six weeks, and perhaps still at this very moment, there is no official notification of his death.

A 23-year-old student studying engineering at the university in Delft is sent to a penal camp and forced to do the hardest work in the freezing cold in a quarry. He didn't last eight weeks. I wanted to give at least one visible face back to the list of names of the deceased.

It is unclear who denounced Vierling and where the information about the circumstances of his admission to Lahde came from. The list also gives two other Dutchmen under Nos. 17 and 18, who came from Thies and died in Lahde after about two to three months (no information about Steinbergen here). Perhaps there are files about the denunciation in the HStA Hannover.

Students from all disciplines (even theology) died within a few weeks. I assume that the "official" reason for the deportation to Lahde was "breach of employment contract" (see also p. 163 below and p. 164 above in *VPpU*). It was a "via crucis". Forced labor in a factory, transfer to the Lahde labor education camp, from there to the "Reisswolf" Steinbergen quarry, punishment camp of the Lahde labor education camp. Mr. Bartz added: "By the way, the source is called de Geus onder studenten, The Geuse among students".

As in my previous book, I would like to mention the names of those murdered in the Steinbergen quarry.

Henrikus Maria Vierling, Dutch, born 19.5.20, died 28.12.1943,residence Steinbergen 144. (5)

Theodor Peters, Briton, born on 26.5.23, died on 11.12.1943, place of residence Steinbergen 144 (5)

Andrey Baran, Pole, born on 19.3.19, died on 27.3.1945, place of residence Steinbergen 144 (1)

Konstantin Misiejuk, Belarusian, born on 15.3.1924, died on 11.2.1945, place of residence Steinbergen 144 (3)

Michael Anisudkin, "Eastern worker", born on 12.1.1920, died on 31.1.1945, place of residence Steinbergen 144 (4)

Grigori Kindra, "Eastern worker", born on 10.5.1924, died on 30.1.1945, place of residence Steinbergen 144 (4)

Felix Blaszczyk, Pole, born on 25.6.1923, died on 20.1.1945, place of residence Steinbergen 144 (1)

Jaroslaw Chab, member of the Protectorate, born on 14.1.1899, died on 10.1.1945, place of residence Steinbergen 144 (4)

Stanislaw Koslowski, Pole, born on 25.10.1911, died on 18.11.1944, place of residence Steinbergen 144 (4)

Fedor Korow, "Eastern worker", born on 27.12.1915, died on 8.11.1944, place of residence Steinbergen 144 (4)

Henryk Bukowski, Pole, born on 18.1.1921, died on 18.10.1944, place of residence Steinbergen 144 (1)

Johann Pawloswski, Pole, born on 10/21/1921, died on 10/14/1944, place of residence Steinbergen 144 (2)

Josef Jama, Pole, born on 10.6.1917, died on 11.10.1944, place of residence Steinbergen 144 (6)

Francisek Kaczmarek, Pole, born on 11.9.1911, died on 11.10.1944, place of residence Steinbergen 144 (4)

Zdislaw Tokarski, Pole, born on 26.11.1923, died on 11.10.1944, place of residence Steinbergen 144 (6)

Dimitrj Stupak, "Eastern worker", born on 8.9.1926, died on 7.10.1944, place of residence Steinbergen 144 (4)

Felix Franos, Pole, born on 24.3.1922, died on 6.10.1944, place of residence Steinbergen 144 (6)

David Tschichwaija, Pole, born on 13.12.1920, died on 5.10.1944, place of residence Steinbergen 144 (2)

Zivota Pavlovic, Serb, born on 29.5.1922, died ----------, Place of residence Steinbergen 144 (2)

Alexander Kondratschow, "Eastern worker", born on 18.8.1922, died on 20.9.1944, place of residence Steinbergen 144 (4)

Jan Woitowicz, Pole, born on 10.5.1922, died on 5.9.1944, place of residence Steinbergen 144 (2)

A. Jastremski, West Ukraine, born on 4.3.1912, died on 23.8.1944, place of residence Steinbergen 144 (1)

Victor Boltwinow, Pole, born on 12.8.1926, died on 10.8.1944, place of residence Steinbergen 144 (5)

Josef Wachowiak, Pole, born 7.7.1908, died 9.8.1944, place of residence Steinbergen 144 (7)

Anatoli Poleschtschuk, "Eastern worker", born on 15.11.1900, died on 15.7.1944, place of residence Steinbergen 144 (6)

Casimir Przybilski, Pole, born on 11.8.1916, died on 28.5.1944, place of residence Steinbergen 144 (6)

Iwan Hallenja, "Eastern worker", born on 1911, died on 24.5.1944, place of residence Steinbergen 144 (8)

Adek Rojek, Pole, born on 8.4.1921, died on 9.5.1944, place of residence Steinbergen 144 (6)

Wladislaw Gurski, Pole, born on 1.5.1914, died on 5.5.1944, place of residence Steinbergen 144 (6)

Wassili Gebenink, "Eastern worker", born on 12.8.1928, died on 1.3.1944, place of residence Steinbergen 144 (2)

Alexander Kazura, "Eastern worker", born on 20.8.1911, died on 1.3.1944, place of residence Steinbergen 144 (2)

Anton Olszewski, Pole, born on 4.12.1915, died on 26.2.1944, place of residence Steinbergen 144 (2)

Czeslaw Kasprzyk, Pole, born on 16.5.1923, died on 15.2.1944, place of residence Steinbergen 144 (1)

Ewgeni Puschin, "Eastern worker", born on 1.5.1923, died on 28.10.1943, place of residence Steinbergen 144 (1)

Peja Stanilaw, Pole, born 4.1.1920, died 4.9.1943, place of residence Steinbergen 144 (2)

Stanislaus Granczyk, Pole, born on 16.7.1905, died on 2.9.1943, place of residence Steinbergen 144 (1)

Alexander Wereskikow, "Eastern worker", born on 6.7.1903, died on 13.8.1943, place of residence Steinbergen 144 (1)

Causes of death:

"Shot on the run" (1)

"Shot for resisting state authority" (2)

"Suicide" (3)

"deceased due to general weakness" (4)

"Cause of death unknown" (5) Curious that this is written for a Dutchman and a Briton of all people.

"Shot for attempting to escape" (6)

"Shot for assault" (7)

"died of heart failure" (8)

Wolrad did not have many objections to the imprisonment of people. If the memoirs of the National Socialist president of the state government of the Free State of Schaumburg-Lippe, Karl Dreier, are to be believed, the "prisoner of war" Leopold III, King of Belgium, was to be forcibly housed in Bückeburg Castle in June 1940 (p. 118). Speer is said to have rejected the plan because setting up a well-functioning sanitary and heating system would have been too costly. Dr. Otto Meissner (the Führer's presidential chancellery), Rohrssen (former castle inspector in Bückeburg and then Goebbels' house superintendent), Karl Dreier and Wolrad were involved in these considerations, see also my comments on pp. 165 below, 166 and 167 in *VPpU*.

7. Dresdner Bank and Valentin Henckel Donnersmarck

After long months of research, I found out a reason why the Gestapa had investigated Adolf. It was certainly not the real reason. It wasn't an investigation, but the preparation of a liquidation.

Between 1934 and 1936, Adolf was not only investigated by the Gestapa, but also by the state tax office in Hanover for foreign currency fraud and the customs investigation office for violating the "Volksverratsgesetz" (treason law) (for allegedly not declaring assets held abroad).

In 1936, when Adolf was already dead, various proceedings were brought against the executor of his will, Valentin Graf Henckel von Donnersmarck, for aiding and abetting crimes committed by Prince Adolf. In 1936, art objects were seized by the Dresdner Bank, which then came to Berlin. These included Vries sculptures (see p. 148 *VPpU*), which can be seen today in the Bode Museum.

Valentin Graf Henckel von Donnersmarck's lawyer, Dr. Wal- ter Schulz, Georgstrasse 20, Haus Continental, wrote to the Hanover District Court on March 8, 1937:

> *My client [Valentin Henckel Donnersmarck] was arrested in mid-November 1936 for alleged tax evasion. This is not the third, but the second arrest. My client is convinced that the various criminal proceedings against him, namely for alleged foreign exchange offenses, tax evasion and embezzlement, were instigated by members of the Princely House or on their behalf in order to be able to terminate the contracts concluded with him. The arrest warrant for alleged involvement in a foreign exchange offense committed by Prince Adolf was untenable and was quashed by the Bückeburg District Court. Based on these proceedings, the customs investigation office in Hanover, in conjunction with the tax office, then initiated further investigations into tax evasion.*

Bückeburg explained that these proceedings had been initiated because a search of the plaintiff's correspondence and business papers had revealed donation checks. From this it was concluded that the tax returns could not be in order. The proceedings against Valentin Henckel von Donnersmarck were continued on this and no other grounds. He was then arrested for allegedly concealing his identity. He was then dismissed without notice by Wolrad Prinz zu Schaumburg-Lippe on the grounds that the repeated arrests for treason and the like had forced him to take these measures [...].

Prince Adolf was a member of the Supervisory Board of Dresdner Bank.

Valentin Graf Henckel von Donnersmarck was hired by Adolf Prince of Schaumburg-Lippe in 1921 on the recommendation of Mr. Henry Nathan.

Henry Nathan was the founder of Dresdner Bank AG. Dresdner Bank was transformed from the Jewish private banking house of Michael Kaske into a stock corporation in 1872. It was already regarded as a "Jewish" bank, as not only its founder and his successor Henry Nathan, but also a large proportion of the Supervisory Board were of Jewish origin. Eugen Gutmann resigned from the Management Board at the end of the year and became Honorary Chairman of the Supervisory Board in 1921. Henry Nathan took his place as primus inter pares.

In 1937, Valentin Graf Henckel von Donners- marck's lawyer submitted a written statement:

It is easy to understand why the Prince followed the recommendation of the Dresdner Bank and appointed the plaintiff (Valentin Henckel von Donnersmarck) as general manager. It is not disputed that he was acquainted with the director Nathan of the Dresdner Bank. However, it belongs to the realm of fantasy when the Court Chamber [Wolrad, the author] now claims that an appointment was made under pressure from Dresdner Bank.

Count Henckel von Donnersmarck had also been a member of the Supervisory Board of Dresdner Bank until 1931. Adolf Prince of Schaumburg-Lippe reimbursed him annually for the royalties he lost for the position he had given up.

The fact that Count Valentin Henckel von Donnersmarck was not a member of the "Court Chamber" but Adolf's personal plenipotentiary is extremely important for understanding these events. He was able to instruct the "Court Chamber". Valentin emphasized this aspect with the remark that he was not a civil servant wearing gold buttons, who limited himself to signing the papers, but was far above that. He was, if we may use a modern term, "President" and not "back-office" ("court chamber"). He was CEO and not Chief Financial Officer.

This finding is so important because it exposes the simultaneous proceedings against Adolf and Valentin as proceedings against the "head". This is why Valentin was accused of aiding and abetting Adolf's crimes. The Nazis thus "decapitated" the "head" with a targeted blow and immediately installed Wolrad as the {new?} "head". If only Valentin had been
would have been "back office" if he had not been remanded in custody.

For Christmas 2010, I gave myself the 1930 to 1934 issues of the Adelsblatt. An article in issue 25 of the 1934 volume on p. 25 dealt with the question of whether the Henckel von Donnersmarck family
is of "Jewish origin".

> *Correction - The Henckel von Donnersmarcks*
>
> *The rumor that the family of the Counts Henckel von Donnersmarck and the Princes von Donnersmarck who emerged from it were of Jewish origin, as is unfortunately still frequently heard in aristocratic circles and as the Semigotha in particular attempts to prove in lengthy articles, has long been refuted by scholars, among whom it has never actually gained a foothold.*

I wrote to the head of Dresdner Bank's historical archive and asked to see the files. The Historical Archive of Dresdner Bank first informed me in writing that Adolf's co-heirs were of course allowed to inspect the files on this supposedly assetless personality. Suddenly there was a U-turn. Now I was informed that this was not possible due to "bank secrecy". Obviously, no light is to be shed on this dark story.

I'm curious to see whether light will penetrate sooner or later. I've opened the door a crack.

Local historians and the Bückeburg State Archives described my research as a foolish fringe area and accused me of a conspiracy theory approach. Mr. Frank Werner from the Landeszeitung published a book about Schaumburg National Socialists. Although he had the "Memoirs of Karl Dreier" at his disposal, he did not refer to statements that could incriminate Wolrad. These "memoirs" with a large cover picture of Adolf Hitler were purchased by the Bückeburg State Archives through Mr. Frank Werner.

Dr. Lu Seegers did not mention anything about the Schaumburg-Lippe family in her article on the quarry in Steinbergen.

I'm not surprised, because there will always be people who side with the "strong".

It's all a question of the balance of power.

How does a bank wield its power? With ease.

Commerzbank AG refused to provide information. The bank was indifferent to the fact that I was the heir of a former member of the Supervisory Board and that I was concerned with his personal interests. At the beginning, things had looked good.

On December 17, 2009, the Historical Archives of Dresdner Bank (Commerzbank) stated: Documents on the subject I mentioned (Adolf Fürst zu Schaumburg-Lippe Supervisory Board member, accounts, art pledges, etc.) were available in the archives in Frankfurt. I would be happy to view these documents in the archives. I would only have to prove that I was authorized to inspect them, submit a copy of the certificate of inheritance for Adolf Fürst zu Schaumburg-Lippe and my official photo ID. I complied with this request.

On December 22, 2009, the Historical Archive replied along the lines of: The earliest we would be able to inspect the files would be at the end of February 2010. Reason: Reorganization and merger of Dresdner Bank with Commerzbank.

On January 8, 2010, the Historical Archive of Dresdner Bank announced: According to the legal department, the documents will be handed over on condition that all of Adolf Fürst zu Schaumburg-Lippe's co-heirs also receive copies of the documents. I was only to provide the addresses of the co-heirs. I did so on January 11, 2010.

On March 26, 2010 (the anniversary of Adolf's death), I asked again and was told that the case was still in the legal department. Once again, I pointed out that I urgently needed the documents in order to submit them to the Greifswald Administrative Court. I was then told by telephone that the legal department would invoke banking secrecy. She explained that the documents were about an entirely
"other tribe". I had three guesses as to who made the sole claim.

By telephone, the Historical Archives added that I was also not allowed to see any documents because the documents showed that a bank director at the time had embezzled (...) I wonder how something could be embezzled by a person with no assets. Strange argument for withholding documents from co-heirs.

I had to look elsewhere. I was able to find further details about Count Valentin Hen- ckel von Donnersmarck. He and his secretary were reported to the public prosecutor's office (according to Dreier's memoirs, p. 41, archive signature: NLA - Staatsarchiv Bückeburg E 77 No. 3).

From 1936 to 1938, proceedings were brought against them for offenses against the so-called Volksverratsgesetz (treason law) (Horst R. Sassin, Liberale im Wider- stand, die Robinsohn Strassmann Gruppe).

The fact that the matter had to be absurd is already clear from the text of the law. According to Section 4 (1) (2), see Reichsgesetzblatt I, p. 360 ff., they were obliged to notify the authorities, i.e. they had to disclose assets located abroad (land, agriculture, shareholdings, etc.). How should the executor of the will have made himself liable to prosecution if Adolf Prince of Schaumburg-Lippe was without assets? Which assets abroad should he not have reported?

Valentin Graf Henckel von Donnersmarck was tried by the special court for the higher regional court district of Celle at the district court in Hanover. It comprised the regional court districts of Aurich, Bückeburg, Detmold, Göttingen, Hanover, Hildesheim, Lüneburg, Osnabrück, Stade and Verden. Who investigated? The public prosecutor's office in Bückeburg!

The criminal action led to the desired success. Valentin Count Henckel von Donnersmarck was unable to act in the matter of Adolf Prince of Schaumburg-Lippe. That was the point. Criminal investigations into treason against the executor of the will of Adolf Prince of Schaumburg-Lippe, including pre-trial detention from November 1936, were intended to enable his release as executor of the will in accordance with Section 2227 of the German Civil Code. § Section 8 of the Treason Act provided for imprisonment for not less than three years and loss of civil rights as punishment for failure to comply with the duty of disclosure.

The proceedings against Count Valentin Henckel von Donnersmarck even occupied the Reich Minister of Justice, Dr. Gürtner, and the Reich Minister of Finance, Count Schwerin von Krosigk, on several occasions. The RJM's official diary contains four entries on the case (May 7, 1937, May 28, 1937,
December 27, 1937 and March 18,

1938). Here is the entry from May 27,

1937:

R 3001/20721 BArch

May 7, 1937: Reich Finance Minister (signed Krosigk, to the Minister personally, April 30) hands over a file from his ministry on the criminal proceedings against Count Henckel von Donnersmarck, General Plenipotentiary of the House of Schaumburg-Lippe, for tax and foreign currency violations. He asks for the question of his release from prison to be examined. The 68-year-old defendant's lawyer had pointed out that Count H.'s health was constantly at risk due to paralysis in both legs. The investigations were being conducted by the Bückeburg District Court. Count H had been in custody since 16.11.36, first in the prison hospital, now in the Hanover Municipal Hospital. His cousin, Prince von Donnersmarck, was working on his behalf.

I also received a copy from *Der Stürmer*, issue 13, 1935, no. 26:

> *In 1907 we had a very distinguished visitor. The Colonial Secretary Dr. Bernhard Dernburg (baptized Jew!) appeared with an entourage of about 6 or 7 gentlemen, including Count Henckel von Donnersmarck (Jew) and Rathenau (Jew) [...]*

At this point, I would like to point out that Walther Rathenau traveled to South West Africa in July 1908. He noted in his diary that Valentin Graf Henckel von Donnersmarck was one of his travel companions (Wolfgang Brenner, *Walther Rathenau. Deutscher und Jude*, p. 201).

The accused will probably stay in Rottach-Egern after his release and will only be in contact with his lawyers. There is no risk of concealment.

> *28.5.1937*
> *OStA. Hanover (20.5.)*
> *[...] The further appeal against the rejection of the detention complaint is dismissed. In response to repeated representations, the Fin. Office had given a presentation of the investigations to date, according to which important findings were still outstanding and the suspicion of treason had already been substantially strengthened. On April 20, the OFinPräs. urgently requested that the detention be maintained, since the investigations would probably be thwarted by the accused if he learned that the tax authorities were aware of the capital withdrawals [...].*

> *R 3001/20734 BArch*
> *27.12.1937*
> *OStA. Hanover (20.12)*
> *hands over the indictment (20.12.) against Valentin Graf Henckel von Donnersmarck (offenses and crimes against the VO. of 1.8.1931 and the VO. of 23.5.1932 as well as against §§ 2 and 8 of the Volksverratsgesetz) [...].*

> *R 3001/20946 BArch*
> *OStA. Hanover (19.2.)*
> *submits the judgment of the Hanover Special Court, by which Valentin Graf Hen- ckel von Donnersmarck was convicted on January 20, 1938 of the crime of treason against the people.*

law was acquitted. (Pre-trial detention since 9.10.37). It is stated in the grounds that the defendant cannot be refuted that his son, who emigrated to Holland in 1935 after protective custody and whom he allegedly saw for the last time in 1934, carried out the transactions on the basis of a Gen. Power of Attorney and that he himself knew nothing about it.

In *Gestalten rings um Hindenburg, führende Köpfe der Republik und die Berliner Gesellschaft von heute*, third edition 1930, anonymous, the following can be read on p. 188:

[...] In contrast, the youngest of the three brothers, Mr. Erich von Goldschmidt-Rothschild, built a large house. His charming young wife, born Countess Henckel [...] she is the daughter of Count Valentin Henckel-Donersmarck and his wife, born Countess Kanitz. Count Henckel, who was once the Emperor's court marshal for a short time, has been at the head of Prince [Adolf, added by me] Schaumburg-Lippe's large estate administration for several years as his general representative.

Valentin Graf Henckel von Donnersmarck died on May 22, 1940 in Berlin Halensee.

For years I was surprised that the signature of the executor of the will, Count Henckel von Donnersmarck, was always shown as a facsimile, never in the original. Now I know why: in May 1936 he acted as executor, but shortly afterwards he was taken into custody. Property transactions had to be backdated at the same time as Wolrad's NSDAP membership was backdated; by the way, it is interesting to see how Wikipedia "tweaked" the backdating of "Wolrad Prinz zu Schaumburg-Lippe" on November 28, 2009.

The long list of assets of the deceased Adolf is provided with the note that although they appear to belong to Adolf, they do not, including the Steyerling estate, Vietgest, Nienhagen, Boldebuck, Gülzow, Wilhelminenhof, Reinshagen, Krümmel and the Palais Schaumburg in Bonn and shares in many companies. The "signature" of the person certifying is missing, but there is a stamp with a copied signature of Henckel von Donnersmarck, executor of the will, May 20, 1936.

The time-lapse image sequence is as follows:

Adolf and his wife died, the
will disappeared, the plane
was burned, documents
vanished,
when the public prosecutor's office in Bückeburg investigated.

What was the purpose of the investigation into Count Valentin Henckel von Donner-Marck? To dismiss him as executor of the will. Because according to
§ Section 2227 BGB, the probate court can dismiss the executor at the request of one of the parties if there is good cause; such cause is, in particular, gross breach of duty or inability to manage the estate properly.

At the beginning of 1937, the Bückeburg probate court "certified" that Adolf Prince of Schaumburg-Lippe had died without assets.

§ Section 2339 of the German Civil Code declares that anyone who has committed an offense under Sections 267, 271 to 274 of the German Criminal Code with regard to a disposition of the testator upon death is unworthy of inheritance.

There were references to a lost will in an "estate settlement" of the "assetless" Adolf Prince of Schaumburg-Lippe, drawn up by the "Court Chamber":

August 6, 1936
Notarization of executor's certificate RM 0.25

March 19, 1937
Bückeburg court cashier's office for opening a will and issuing
an executor's certificate RM 184.00

April 28, 1938
Bückeburg court cashier's office for executor's certificate RM 40.08

The certificate of executorship dated April 14, 1938 (cost settlement dated April 28, 1938) now listed "Hofrat Müller" as the executor of the will.

out. This meant that the "execution of the will" from a will that could not be found was completely in the hands of the "Hofkammer", i.e. Wolrad.

This passage from a pleading by Valentin Graf Henckel von Donnersmarck's lawyer also leaves no doubt as to the existence of a will:

> *The Prince never considered the contracts with the plaintiff (Valentin Henckel von Donnersmarck) to have been concluded morally and under duress. How else could he have come to extend the contracts in 1925, i.e. after four years of activity? How else could he have come to recognize him in his will for the services he had faithfully rendered? As proof of this, reference is made to the will files at the district court in Bückeburg.*

Where is the will? Where are the will files? State secret.

8. Dream

Adolf, our mutual great-uncle, who died in a plane crash in 1936, traveled to Bückeburg completely unexpectedly in 2011. He walked through the front door of the State Archives in the east wing of the castle, dressed like his father in 1901 on a walk on a sunny spring day. The archivists look at him in horror.

Adolf: *"I am very pleased to return to this place after many years. I didn't know that there was now a "state" archive here. I hardly recognize the premises. Well, I would like to look at the documents, my correspondence, my last will and testament, my deeds, photographs ... I remember how I was at the*
March 26, 1936 boarded a large plane. It was in Mexico. It was very noisy on board. The best flying weather. The three engines were noisy. I heard a bang, the engines sputtered, we fell, a terrible feeling in the pit of my stomach, the plane spun, the passengers screamed and all of a sudden darkness, complete silence and darkness."

Silence in the archive. Archivists and staff do not look Adolf in the eye. They look at the wooden floor, out of the window, at the ceiling. The head of the archives takes a step towards Adolf and speaks to the former ruling prince: *"Your Serene Highness, unfortunately you are not allowed to view the house archives, you need the prince's permission."*

Adolf: *"That really surprises me. After all, they are my documents, they are my documents, my letters, they are my archive. I would like to take this opportunity to ask: is there a new prince in the meantime? I have abdicated. Has the monarchy been reinstated?"*

Archive director: *"I'm really sorry, Your Serene Highness, but we're not allowed to provide any information. Ask your great-nephew Alexander, he is the grandson of your brother Wolrad. He owns all the documents. As you know, everything was household property, you were poor, destitute, heavily in debt, without assets, you don't even own your private correspondence, nor any photos. Where is your wife?"*

Adolf: *"My wife was sitting next to me, on the other side of the corridor. She looked me in the eye as we fell out of the sky. I never saw her again. - Palais Schaumburg in Bonn, Steyrling Estate, Villa Bellemaison in Höllriegelskreuth, the palace here in Bückeburg that my mother left me, the properties in Harrl. That was*

but everything is my possession. I want to see these places again. How can I retrace my memories, how can I reconstruct my life, my deeds, my past? Who of the family is still alive? Where is Harry? Where are Stephan, Wolrad and Friedrich Christian?"

Adolf was not received by Alexander for scheduling reasons.

Adolf wrote to Alexander requesting access to the house and family archives. Adolf a s k e d to see HIS archives. And Alexander had the archive director reply: *"Please understand that it is not possible to inspect the Prince's documents. The Prince informed his great-uncle that access would only be possible if His Serene Highness were a serious scholar. But Serene Highness was not, he was only pursuing personal interests, his own interests."*

Adolf left the archive and descended the stairs in silence and contemplation. He stood in the palace square. The archivists hurried to the windows and watched the prince as he scanned the windows of the palace grounds. He couldn't recognize anyone, not even vaguely. But the archivists could see him, including Alexander, who was standing behind a curtain at the window of his apartment and could not believe his eyes.

Adolf walked through the castle park to the mausoleum that he had had built many years ago. He looked over the small cemetery wall to the left of the entrance and recognized Ingeborg-Alix's grave with the huge granite cross, also Stephan's burial place. The mausoleum was closed and the evening sun gave the square in front of the mausoleum a lovely glow.

The copper beeches were no longer visible. It was getting dark and he left the castle district, walked lonely down Bahnhofstrasse to the station and got on a train. His long train journey took him to Madrid.

I took it for granted that he would visit me, who else in the family had dealt so intensively with his story and his fate? I had written two books.

I picked him up at Atocha station and took his suitcase. We walked along the Botanical Gardens, along the Paseo del Prado to the Plaza de Neptuno, left into Carrera San Jerónimo.

Left:
Plaza Neptuno
in Madrid with the
Palace Hotel

Below:
Café Gijón

Adolf was younger than me 53 He checked into the Palace Hotel. After he freshened up, we walked to Café Gijón. This old café is located at Paseo de Recoletos number 21. It was a balmy evening in April, the sun was still shining, the air was clean, it was blowing straight from the Sierra. We sat down at a cast-iron round table on the boule court. Adolf looked at me kindly and remained silent.

I placed my first book on the table. A waiter in a white jacket brought two cups of hot chocolate, two *picatostes* (a typical pastry) and a bottle of water with two glasses. Adolf gingerly picked up the book. Before he opened it, he looked at his own portrait on the cover. I presented him with his personal photo album from 1901. He leafed through it. He remembered his siblings, his father and his mother. Then he put the album aside and thought of Ellen, his wife. Places came to mind: Brioni, Steyrling, Höllriegelskreuth, Vietgest and Bad Eilsen.

His face looked serene, rested, beautiful, pleasant memories. **Suddenly he became restless.** He looked around, the promenade of the Paseo de Recoletos was suddenly deserted. We were the only ones

Guests. Dark clouds covered the sky. Adolf was pale, bathed in sweat, although it had cooled down noticeably. I asked if he wasn't feeling well, if there was anything I could do for him. He stood up, pale as a corpse, and sat down again. I took the book from his hand and put it on a chair next to me. I wanted it to disappear from his field of vision. He looked at me helplessly and couldn't get a word out. And this is where the dream definitely ends. I see a Ford Trimotor crashing to earth, two volcanoes in the background.

For a long time I doubted whether I should describe my memories of my encounter with Wolrad here. But why not?

It was a hot and humid Easter evening in 1962 in a pretty suburb of Bilbao called Algorta. I was five years old. I was very excited. That's normal for children when visitors come. I was wearing white pyjamas. My pants were sticking to my lower legs.

Wolrad, my godfather, had come to visit. My parents hoped that I would behave decently. No stupid things, please. It was solemn. The old man in a gray, elegant suit sat, as it seemed to me or today after interpreting the photo, somewhat cramped on an armchair in the living room of our small apartment. He wanted me to sit on his lap. My father had his camera at the ready and my mother spoke well,

Wolrad and me (source: private archive)

She probably said something like: "Sit on dear Uncle Woldi's lap." The first photo was taken.

Reluctantly, I tried or pretended to try to climb the lap. I slipped off several times. Was it the fabric? The old man's trousers felt cold. My facial expression reflected embarrassment, my dear uncle was serious. Perhaps a smile had slipped from his face, but that
I can't remember.

Wolrad and I in Algorta in 1962 (source: private archive)

A new attempt. Now I sat upright and felt the hard, gnarled legs. I didn't want to fall backwards, I would lie in his arms, and I don't think he wanted me to either, so he held me with his hands, actually he pushed me off a little. His thighs felt angular. I can still remember his hard knuckles today. Something wasn't right. I look scared in the second photo.

Many years later, my mother told me that Uncle Wolrad had traveled to the Basque Country at Easter 1962 so that he wouldn't have to celebrate his 75th birthday in Bückeburg or Hagenburg, "with all the tam-tam". He didn't like big celebrations, she said. Discretion and a certain understatement were more in keeping with his character.

Several years later, I learned that this trip had not suited him. Easter 62 had been exceptionally humid in Algorta. He and his wife, dear Aunt Tilly (Bathildis), stayed at the beautifully situated Hotel Tamarises on Ereaga beach. But the beautiful location with

Ereaga beach: smoky Bilbao in the background, Hotel Tamarises on the left. Courtesy of Guido Klein Weiss.

The view of the sea did nothing to change the extreme air pollution. In addition, there was high humidity and high temperatures. All of this affected his lungs and his circulation. Asthma is a typical illness in the Schaumburg-Lippe family. My mother and grandfather also suffered from it.

Wolrad died in Germany on June 15, 1962. His military record book also stated that he was unable to tolerate heat well. In the summer of 1942, he suffered a heat stroke in the General Government. He was sent to a military hospital in Vienna (see p. 121 of the *VPpU*).

April 19, Uncle Woldi's birthday, was Maundy Thursday. Aunt Tilly had always been warm and loving to me. At Christmas she sent presents, even a Christmas tree. The fact that the Spanish postal service usually delivered the naked fir tree in January made the gesture even more endearing. The craziest consignment was a dozen live crayfish. I assume they were sent from Steyrling.

I would like to mention three more memories.

Crane on the pier at Ereaga (source: private archive)

The spooky-looking, gigantic, rusty crane on the pier in Ereaga, through whose metallic, partially torn open cavities the wind whistled and hissed loudly as if loudspeakers had been mounted there, let us hear the roaring of the surf at high tide.

A yellow propeller plane dropping sweets on Sopelana's Atxabiribil beach. Excited, we ran up the dusty path to collect them.

Atxabiribil beach, Sopelana (source: private archive)

Kurhaus Igeretxe on the beach of Ereaga. With the kind permission of Guido Klein Weiss

And the third: the windows of the old, wooden, abandoned Igeret- xe spa house on Ereaga beach, diagonally opposite the Hotel Tamarises, rattled on windy days and reminded us of a haunted house. We hurriedly walked past its façade. It was eerie on the lonely beach promenade on gray, rainy autumn and winter evenings.

In July 2011, I went to the Eifel with my son. One Sunday, we went on a trip to Bonn. We wanted to see the Palais Schaumburg. We had never been there before. A tourist guide told a group at the locked entrance gate that after 1939 the commander, he probably meant the command of the Eifel, resided there. It was confiscated by the Belgians in 1945.

Impenetrable. High trees and walls block the view. No view from the promenade along the Rhine either. We see Villa Hammer- schmidt. The heart of the Republic had beaten in Palais Schaumburg. The Chancellor's bungalow is surrounded by old trees. A strange feeling, just behind the friendly-looking fence. If I look closely, I can see sharp barbed wire in the shade of the trees. The spontaneous feeling of familiarity is quickly overlaid by harsh rejection. Nobody is supposed to look into the park.

Adolf Prince of Schaumburg-Lippe: *top left* circa 1910, *top right* in the 1920s, *below* at his desk, circa 1901 (Sources: private archive)

Adolf with his father Georg in Bückeburg, circa 1901 (source: private archive)

Very relaxed: Friedrich Christian, Wolrad and Stephan circa 1950 in Hagenburg. With them: Ingeborg-Alix (hooked into Friedrich Christian). (Source: private archive)

My mother with her father Heinrich in the palace in Bückeburg, 1952 (source: private archive)

9. Search

The most difficult phase was 2008, when I was at a crossroads. The authorities in Brandenburg and Mecklenburg-Western Pomerania had signaled that they shared my legal opinion. Adolf, a victim of persecution, had been wealthy and the brothers had been co-heirs. Courts in Lower Saxony denied my mother access to the files. State archives remained closed to us. They justified the rejection of the applications by saying that Alexander refused access to archives.

Under very strange circumstances, a certificate of inheritance for Georg suddenly turned up at the local court in Bückeburg, which had been considered lost for years. Inconsistencies wherever I looked. Another example: The main shareholder in Wollzüchterei GmbH had been Adolf himself, with 700 shares (see file in the Federal Archives, file number R1001, archive number 1730, p. 96).

The shares were Adolf's private property. Under the signature Des. K 2 F 178 is said to be a contract dated October 27, 1938. The original shareholding is said to have been transferred to Afrika Bergbau AG. The wool breeding company is said to have owned 102,500 hectares of land in the former German South West Africa.

My question: How could Wolrad sell the shares that did not belong to him because he was not the sole heir? Why am I not allowed to view the Des. K 2 F 178 at the Bückeburg State Archives?

The Bückeburg State Archives replied:

> *In response to your request for information from the files in fonds K 2, I must inform you that these files may only be viewed with the consent of the custodian. Therefore, as you know, I cannot answer your questions.*

In Berlin, I looked at the files of the commercial register for wool breeding. One file is under HRB 52894 old in the HR in Hardenbergs trasse. Two files can be found under the signatures 22204 and 22205 in the Landesarchiv.

On sheet 131 of the first-mentioned file, the HR issued an order on January 24, 1913:

> *The enclosed subscription bill from the Fürstlich Schaumburg-Lippischen Hofkammer in Bückeburg dated December 20, 1912 for 300,000 M is returned to the company with the following cover letter:*
>
> *Please return the enclosed subscription form with the following note: Members of a G.m.b.H. can only be physical and legal persons. However, the Court Chamber in Bückeburg is not a legal entity, but is only appointed to administer the assets of the reigning prince. The certificate of signature must therefore be executed personally by the sovereign. The signature must be notarized in any case. We do not omit to note here that His Majesty the Emperor is also authorized to execute the deeds relating to his private treasury and the administration of his property himself.*

Adolf had his personal subscription to the shares submitted to the commercial register. He was personally a shareholder until 1936, but in 1940 Wolrad mysteriously appears in the list of shareholders. How did he manage that?

Inquiries to the Argentine land register for Bariloche are not answered. The clocks don't tick any differently in Argentina.

There were now two alternatives: either I gave up or I sought help from the public prosecutor's office. She should apply for a search warrant. I thought long and hard, wondering whether I could do that. There was no other way to get hold of the searched Findbuch. The courts in Lower Saxony didn't want to see it. My aim was that the authorities and courts in Brandenburg and Mecklenburg, I and therefore the public and historians could see the Findbuch. Could I reconcile it with my conscience to send the public prosecutor's office to my cousin's house? A very difficult decision. I would have preferred it if he had said to me, look, we'll take a look at the whole thing. He didn't do that, he insisted on blocking the files. I based my initial suspicion on his failure to submit testamentary declarations to the probate court. Alexander sought a declaration of his sole entitlement, public benefits and the enforcement of a purchase option, which was also linked to a reduction in the purchase price of the Boldebuck estate.

I knew that nothing much could happen to Alexander. Even if a file had been found somewhere, he could always have said that he had better things to do than study yellowed files. Nothing would have happened to him, but I would have been able to look through the finding aid, even one or two files. The public prosecutor's office in Frankfurt (Oder) followed my arguments and applied to the district court in Frankfurt (Oder) for four search warrants. To my "horror", they were issued.

I was impressed. The legal system worked, I thought. A Spanish colleague told me: "Verás que no lo harán." *You'll see, it won't happen.* I told the public prosecutor, who said it would happen, that was as sure as the Amen in the church. On November 1, 2007 (Gs 251/07), the Frankfurt (Oder) District Court issued four search warrants (one each for the Bückeburg State Archives and the Hanover Main State Archives and two others) at the request of the Frankfurt (Oder) Public Prosecutor's Office.

The searches were scheduled for February 5, 2008. A search warrant had been requested. But things turned out differently. The Brandenburg State Criminal Police Office raised concerns. Formally, it justified the concerns with economic considerations. The hundred-man team requested was too expensive. The proceedings were ultimately discontinued by the public prosecutor's office, which had applied for the court orders. The case was withdrawn from the department head (the investigating public prosecutor) by his superior. He was banned from testifying. No measures were taken. In my opinion, the public prosecutor's office in Frankfurt (Oder) was by no means the "master of the proceedings", but rather the Brandenburg State Office of Criminal Investigation, which was under the control of Interior Minister Schönbohm. A topsy-turvy world. I will never know whether documents relating to Palais Schaumburg came to light during the search. The finding aid would have been made accessible and I would have been allowed to inspect it because I have the right to inspect the investigation files. And that wasn't allowed to happen. It was five to twelve.

Around 100 former GDR Stasi officers are said to work at the Brandenburg State Office of Criminal Investigation. Of these, 13 are department heads. I have little confidence in an authority that is staffed by numerous ex-Stasi officers. The guards at Mrs. Merkel's weekend house in the Uckermark are said to have been Stasi officers.

Palais Schaumburg is the second official residence of the Federal Chancellor. Were Stasi people also "guarding" this building? Sitting at the Brandenburg LKA
"Praetorians" who "protect" the state from the citizens? What about the principle of separation of powers?

> *Former Stasi employees also work for the Federal Criminal Police Office. This was confirmed by the Federal Ministry of the Interior. Due to the unification treaty, employees of the Stasi were also taken on in a few individual cases. According to the BKA, 48 full-time Stasi employees were taken on after reunification and 23 are still working there today. One of them is also part of Chancellor Angela Merkel's personal security detail. However, he is not said to have been deployed for her direct protection.*
> (Süddeutsche Zeitung, *July 8, 2009)*
>
> *2733 former Stasi employees in the Berlin administration*
> *(*FAZ, *July 10, 2009)*

The following is the wording of one of the four judicial search warrants and the *history* following the order:

> *Search warrant*
>
> *Local Court Frankfurt (Oder)*
> *Order*
> *In the preliminary proceedings*
> *against*
>
> *1. .....*
> *2. .....*
> *3. .....*
>
> *et al.*
> *for suppression of documents etc.*
> *a search of the offices and ancillary rooms of the Lower Saxony State Archives in Hanover, Am Archiv 1, 30169 Hanover, is ordered pursuant to § 103 of the Code of Criminal Procedure, as it is to be assumed that the search will lead to the discovery of evidence, in particular the Findbuch and other documents relating to the succession to Wolrad Prince of Schaumburg-Lippe.*
>
> *The items seized during the search are confiscated in accordance with Sections 94 and 98 of the Code of Criminal Procedure.*

Reasons

According to the investigations to date, the accused [...] is initially suspected of suppressing documents and the accused [...] and [...] of aiding and abetting the suppression of documents.

On July 9, 1990, [...] filed an application with the district council in Wittstock for the repossession of the Sewekow estate. In the application, he stated that he was the sole heir of Wolrad Prinz zu Schaumburg-Lippe, who in turn had been the sole owner of the Sewekow estate. By decision of the State Office for the Settlement of Unresolved Property Issues of the State of Brandenburg dated 7.4.1997, the application for restitution was rejected by the State Office, but at the same time a claim was recognized on the merits in accordance with the Compensation Act.

In the amount proceedings, [...] continued to maintain the original assertion regarding the succession to Adolf Fürst zu Schaumburg-Lippe vis-à-vis the State Office in Frankfurt (Oder).

According to § 31 of the Property Act, applicants are obliged to cooperate in clarifying the facts of the case. This also includes the obligation to submit all relevant documents.

Although the Court Chamber of the House of Schaumburg-Lippe was in possession of the certificate of inheritance after Adolf Prince of Schaumburg-Lippe, and this certificate of inheritance was important for the decision of the State Office, neither [...] nor [...] submitted the certificate of inheritance to the State Office. The defendant knew that the certificate of inheritance was available in the archives of Schaumburg-Lippe.

The defendant [...], as head of the Court Chamber, prepared the letters to the State Office and ensured that the finding aid of the Schaumburg-Lippe Archives was secreted by the State Archives in Hanover (p. 36 of the file). The secretion was carried out by the defendant [...] as [...] of the Bückeburg State Archives and [...] of the [...].

The search is necessary to find evidence, the seizure is necessary for further investigations.

Frankfurt (Oder), 1.11.2007.

Judge at the local court

The following occurred between the issuing of the search orders and the discontinuation of the proceedings pursuant to Section 170 (II) of the Code of Criminal Procedure:

- November 1, 2007: Issuance of the search warrants. Implementation should take place in the first half of January 2008.
- StA XY approved the trip to Bückeburg for preparation.
- In December 2007, StA Z and two LKA officers traveled to Bückeburg to inspect the site.
- Mr. StA XY discussed the case with Mr. F from the General Prosecutor's Office. Without me asking Mr. F about it, he explained to me afterwards that the procedure had nothing to do with the state elections in Lower Saxony.
- The searches were postponed until February 5, 2008.
- On January 16, 2008, the organization of the operation was to be discussed with the LKA Brandenburg.
- On January 16, 2008, the head of department at the StA decided to stop the searches. He justified the stop internally by stating that he saw no initial suspicion. Furthermore, the measures were disproportionate and the LKA had expressed concerns for cost reasons (the plan was to deploy a team of one hundred officers). This is not credible, rather it seems as if the LKA was supposed to serve the StA to save face.
- On January 18, 2008, the investigating public prosecutor faxed me a copy of the search warrants.
- The superior prosecutor told me that nothing would be found "anyway". I told him that the finding aids should be confiscated. He said he saw no suspicion ... indicated that the investigation would be closed.
- On February 11, 2008, the LOSTA (Chief Public Prosecutor) informed me that he would sit down with the public prosecutors (who had diverging opinions); the case had not yet been decided.
- On February 18, 2008, the head of department explained that a search measure in a slimmed-down form (2 persons instead of a hundred) could be considered.

- February 18, 2008: The investigating public prosecutor should write to the Bückeburg district court and ask for documents (in my opinion completely pointless). He wrote to the Bückeburg District Court against his conviction that Mr. von Oertzen was also under investigation. (This should have rung the bells in Bückeburg and Hanover).
- 19 February 2008: Dr. Erardo Rautenberg (Attorney General of Brandenburg) celebrates searches on Liechtenstein as a milestone in the rule of law (article in the Märkische Oderzeitung).
- February 26, 2008: The investigating public prosecutor contacts the public prosecutor in Schwerin on the instructions of Mr. LOSTA (...) and hears from her that she is in favour of a major search. (Chance finds are useful for the investigation in Schwerin.) The public prosecutor in Schwerin explains that she also confirms initial suspicion of suppression of documents and attempted fraud.
- March 3, 2008: The public prosecutor in charge of the case travels to Brandenburg and inspects the case files of the applicant (...) at the State Office for the Settlement of Unresolved Property Issues there. The LOSTA and the other public prosecutors should decide in the week how to proceed.
- March 7, 2008: The superior public prosecutor allegedly favors the small solution (search at 5 locations by 2 persons). Search warrants are to be updated.
- On March 10, 2008, I write to Mr. Public Prosecutor (...) that such a search is completely unsuitable. It is doomed to failure.
- March 10, 2008: The LOSTA orders that the investigation files from Schwe- rin be requested.
- March 11, 2008: I file a complaint against the superior prosecutor.
- March 11, 2008: I fax MP Platzeck, Justice Minister Blechinger (land reform affair) and Minister Schönbohm that the process is more than strange.
- March 12, 2008: The prosecutor in charge of the case, who had applied for the search warrants and wanted to continue implementing them, was

The case is withdrawn immediately. He is barred from testifying. The only person handling the case is his superior.

- March 13, 2008: I fax the Attorney General and complain about the procedure.
- March 15, 2008: The Attorney General, Dr. Rautenberg, calls me personally and explains that the matter will be decided quickly. I will be informed immediately by Mr. LOSTA. Dr. Rautenberg goes on vacation until 11 April 2008.
- Beginning of April: Mr. LOSTA informed me that the superior prosecutor, who was now handling the case, wanted to discontinue the proceedings in accordance with 170 II StPO (no initial suspicion). That's what happened. It would have been a sign of transparency if the judicial authorities had inspected the case files. Obviously this was undesirable. I have the impression that the judiciary is often blind in one eye. It is shocking that the terrorist group National Socialist Underground (NSU) carried out murders and bomb attacks all over Germany, but it would be even more shocking if V-people from the Office for the Protection of the Constitution had been involved. One can almost assume this when one learns that the secret service agent who was at the scene of a murder by a neo-Nazi terrorist group harbored right-wing ideas and was known by the nickname "little Adolf". Weapons and excerpts from Hitler's *Mein Kampf* were found in his apartment.

I checked the search procedure again at the beginning of 2012. Four years had passed. What had I noted in a file note? Mr. StA XY discussed the case with Mr. F from the Public Prosecutor General's Office. Without me asking StA F about it, he explained to me that the procedure had nothing to do with the state elections in Lower Saxony. I looked up when the state elections in Lower Saxony took place in 2008. On January 27, 2008, where was the search supposed to take place? In the State Archives in Bückeburg and the Main State Archives in Hanover. The State Archive Administration Department was located in the State Chancellery of Lower Saxony. It reported directly to the Minister President and CDU candidate at the time, Mr. Christian Wulff.

In January 2012, I made contact with Mr. Stefan Wenzel, a member of the Green Party. I was impressed by his knowledge and his

interest in history, as well as on questions of access to archives and entailed estates. He declared that he wanted to submit a minor question to the state government in Hanover. He and MPs Ursula Helmhold and Helge Limburg signed the question dated February 7, 2012.
February 8, 2012, the Federal President announced his resignation.

The wording of the question:

Transparency and access to the Lower Saxony State Archives

Prince Adolf zu Schaumburg-Lippe died in 1936. In the course of applications for restitution filed by some of the heirs of Adolf Prince of Schaumburg-Lippe in Brandenburg and Mecklenburg-Vorpommern after the fall of the German-German border, several applications were processed by the competent authorities in Brandenburg and Mecklenburg-Vorpommern. The processing dragged on because the clarification of the underlying legal relationships apparently failed due to the lack of certificates of inheritance, wills and other estate documents. These were neither provided by the applicant nor did he grant access to the archives. In order to finally clarify the matter, the public prosecutor's office in Brandenburg planned to search the premises of the state archive in Bückeburg as well as the state archive in Hanover, which is part of the state chancellery of Lower Saxony, and several other premises after years of proceedings and unsuccessful efforts to obtain the underlying inheritance documents. The investigation was apparently based on the initial suspicion of suppression of documents and fraud. The search planned for the beginning of 2008 was apparently canceled at short notice.

Against this background, we ask the state government:

What restrictions apply to access to files in the state archives in Bückeburg and Hanover?

Why were the estate documents of Adolf Prince of Schaumburg-Lippe (wills and testamentary dispositions) not handed over despite the obligation to deliver them in accordance with
§ 2259 BGB not delivered to a probate court ?

Was the state government aware of a planned search of the above-mentioned premises by the public prosecutor's office in Brandenburg?

Stefan Wenzel Ursula Helmhold Helge Limburg

The State Secretary in the State Chancellery replied on February 24, 2012:

Answer by the State Government to the oral question by Members of Parliament Wenzel, Helmhold and Limburg (Greens); transparency and access to the Lower Saxony State Archives

The inquiry relates to civil law inheritance disputes within the Schaumburg-Lippe family. To the best of our knowledge, the main question is to what extent the assets of the Princes of Schaumburg-Lippe, who ruled until 1918, were bound by entail law (entail: inalienable and indivisible assets of a family) or were the private property of individual family members within the meaning of the German Civil Code (BGB). In the former case, the special rules of entailed estate dissolution law apply; in the latter case, the normal inheritance law provisions of the BGB apply. There are apparently differing opinions between individual family members about the inheritance and entailed estate dissolution proceedings carried out after the death of Adolf Prince of Schaumburg-Lippe in 1936. After the unification of Germany, some of the heirs of Adolf Prince of Schaumburg-Lippe filed several applications with the relevant authorities in Brandenburg and Mecklenburg-Western Pomerania for the return of properties formerly belonging to the family. Another part of the family - represented by a grandson of Heinrich Prince of Schaumburg-Lippe, the younger brother of Adolf Prince of Schaumburg-Lippe, who works as a lawyer in Madrid - has questioned these claims for restitution: He is of the opinion that, at least to this extent, the usual inheritance regulations under BGB law apply and not the provisions under fideicommiss law. In order to substantiate his legal opinion, since the end of the 1990s he has inspected various holdings of the Lower Saxony State Archive (NLA) in the Main State Archive Hanover and State Archive Bückeburg departments, in particular the files of the former entail dissolution proceedings at the Higher Regional Court of Celle as well as the estate, register and other files of the Regional Court of Bückeburg and the Local Courts of Bückeburg and Stadthagen. Access to these state archive records of the state of Lower Saxony is not subject to any restrictions in accordance with Section 5 (1) of the Lower Saxony Archive Act (NArchG); at most, protective rights could postpone access if necessary. As there were no such restrictions in this specific case, the requested access to these state archive records was granted in full.

In addition to the state archive holdings, the NLA also holds archive holdings of private origin which, as so-called deposits, are generally available for public use but remain the private property of the respective depositor. The rights and obligations between the NLA and the respective owner of the deposits are regulated in a so-called deposit contract, in particular with regard to the modalities of use. According to § 3 para. 7 NArchG, it is expressly permitted to deviate from the regulations of §§ 5 and 6 NArchG for the use of state archive records. A deviation was also made at that time: Since 1971, such a deposit has existed via the House and Chamber Archives of the Princes of Schaumburg-Lippe. This deposit is kept and maintained in the NLA in the Bückeburg State Archives Department. According to the deposit contract, the owner has reserved the right to authorize access to these archives for certain cases of use. The lawyer's requests for access to certain archival records of the Haus- und Kammerarchiv were refused by the owner on the basis of this regulation. The NLA was bound by this decision and consequently rejected the request for access. In the subsequent administrative court proceedings brought against the NLA's refusal, the Lüneburg Higher Administrative Court ultimately ruled in its judgment of September 17, 2002 that the NLA had acted properly, because in this specific case the provisions of § 3 para. 7 NArchG take precedence over the regulations governing the use of state archives in §§ 5 and 6 NArchG. An action for restitution brought against this was also rejected by the Lüneburg Higher Administrative Court on November 25, 2005 and this decision was confirmed by the Federal Administrative Court on March 8, 2006. In this decision, it was determined, among other things, that the defendant state is not obliged to hand over estate documents that are not part of the state archive property to the competent probate court in accordance with § 2259 BGB. The documents in question are also not part of the state archives (Bückeburg Local Court holdings), but part of the "Schaumburg-Lippisches Haus- und Kammerarchiv" depository.

In 2007/2008, criminal proceedings were apparently pending at the public prosecutor's office in Frankfurt/Oder, which presumably concerned the misappropriation of evidence and the like. In November 2007, a search and seizure order was issued by the district court of Frankfurt/Oder, which was directed against, among others, the departments of the Main State Archives of Hanover

and State Archives Bückeburg of the NLA. This order was then revoked by the responsible authorities of the state of Brandenburg in the spring of 2008, or at least never enforced. At that time, neither the NLA nor the Bückeburg public prosecutor's office or the Lower Saxony State Chancellery - as the responsible supervisory authority - were aware of any information about this. It was only in an e-mail dated July 3, 2009 that the above-mentioned lawyer informed the President of the NLA of this - in passing. Having said this, I will answer the question on behalf of the state government as follows:

Re 1 to 3:

See preliminary remarks

State Secretary to the Prime Minister

Unfortunately, the statements were incorrect because the general obligation to deliver wills pursuant to Section 2259 BGB had not been the subject of administrative law decisions. The decision cited had expressly stated that the obligation to deliver wills pursuant to § 2259 BGB had nothing to do with the subject matter of the dispute. Why did the State Chancellery knowingly give the wrong answer?

Mr. Wenzel asked and received an answer from the head of the State Chancellery. Mr. Wenzel sent me this reply and expressly gave me written permission to reprint it.

Dear Mr. vom Hofe,

The answer to the question on the transparency of archives in Lower Saxony is indeed unusual.

I therefore asked the State Secretary of the State Chancellery again for a direct answer to my query. I received the following reply dated 29.2.2012:

> *"It is parliamentary practice to reply to a parliamentary question in the form you have criticized. This is used in particular when the underlying facts require further explanation and all questions are ultimately answered in the context of this. This is exactly what the state government did with its answer of 22.02.2012.*

How to find the corresponding answers

** on question 1 at the end of the second paragraph (reference to unlimited access to the use of state archive records in accordance with Section 5 NArchG) and in the third and fourth paragraphs (on restricted use of so-called deposit archive records in accordance with Section 7 NArchG),*

** Question 2 in the fifth paragraph (no obligation to surrender according to § 2259 BGB for non-state archive records)*

** to question 3 in the sixth paragraph (no knowledge at the time the search warrant was issued and later revoked in 2007/2008, but only subsequent, rather accidental knowledge in July 2009).*

For reasons of transparency and publicity, the questions and the respective answers are made public and are therefore equally accessible to all Members of Parliament. To ensure this, I would ask you to follow the parliamentary channels provided for this purpose."

You will be able to recognize the answers to the individual questions. With

kind regards

Stefan Wenzel

I filed a complaint to see how the State Chancellery would argue.

On May 2, 2012, the public prosecutor's office in Hanover wrote:

I have not been able to find any indications of criminally relevant conduct by members of the Lower Saxony state government, which answered the question by Stefan Wenzel, Ursula Helmhold and Helge Limburg.

The offense of suppression of documents is already not fulfilled because it is not apparent from your own submission that the state government has a document that it does not hand over to a court, although it would be obliged to do so. The documents named by you, with regard to which you have already conducted a legal dispute with the State of Lower Saxony or the Lower Saxony Main State Archives, are, according to the judgment of the OVG

Lünbeurg of 17.9.02 in accordance with Section 1 (4) NArchG. In this respect, the State of Lower Saxony or its institutions would not be under an obligation to surrender - as you have so far only claimed. Nor can I find sufficient evidence from your statements that there is any document at all with regard to which there is an obligation to surrender.

The fact that the plenary session of the Landtag is not a competent body for taking sworn testimony and that the Land government and its members do not testify there as witnesses or experts does not constitute false testimony. Furthermore, no false statements have been made.

When asked, the public prosecutor explained: "*I (the public prosecutor) have not seen the finding aids kept by the state of Lower Saxony."*

I got the impression that in the Federal Republic of Germany (certainly also in other European countries) an established "Self-censorship" of the press exists. How can it be explained that the German press reports on thousands of meaningless stories, about bobby cars, about hotel room bills, but that it doesn't write a line about a state chancellery withholding wills that are to be delivered to the court, that the press is unable to report that members of the state parliament are being lied to? I explain this with the "political balance of power". The fact that the public prosecutor's office applied for Mr. Wulff's immunity to be lifted, that they searched Mr. Wulff's private home, that they confiscated cell phones and Mr. Wulff's personal PC, did not change my opinion. Why didn't she take a look at the Bückeburg finding books held by the State Chancellery? I had reached the limits of democracy. Like Amundsen, I had reached the legal South Pole. The magnetic fields had overridden the compass - the laws.

10. Reaction

Away from politics, back to the provinces. It wasn't the search warrants that annoyed Alexander the most. He burst when I contacted Ulrich Sahm. Why? By chance, I found an article that Mr. Sahm had written. I politely pointed out to him that Alexander had untruthfully told him that one of his uncles had been a resistance fighter. He was referring to Kurt von Plettenberg, to whom neither Alexander nor I are related. I wrote that Alexander had obviously pulled a fast one on him. The historical truth is sacred to me. In my opinion, Alexander had understandably wished for nothing more than to be able to tell such a story to the press. But it wasn't true. Mr. Sahm immediately informed Alexander of my remark. The emails that Mr. Sahm sent me were anything but friendly, but I only wanted to point out an inaccuracy. I kept these emails. And then Alexander wrote to me bitterly, in a very angry tone. It was the very first time he had ever written to me. What exactly had happened?

Alexander had dragged a non-existent uncle into the field. The uncle is said to have knocked out two Gestapo agents with punches and then jumped out of the window at Prinz-Albrechtsstraße 8 in Berlin to protect those involved in the July 20 assassination attempt. Alexander published the following in an interview: "*After his arrest at the Gestapo headquarters in Berlin, an uncle of mine struck down two Gestapo men with targeted punches and then threw himself out of the window to his death. He didn't want to betray any conspirators against Hitler*". *"An uncle of mine ..."* There was no uncle who was a resistance fighter. I find it hard to believe that Alexander didn't deliberately make untruthful statements. Because if he wasn't an uncle, why report it at all? It didn't make any sense.

It seems as if Wolrad's tactics from the denazification process are being repeated (see p. 190 of *VPpU*).

What now follows does NOT refer to Mr. Sahm. I am also not saying that Mr. Sahm knew or should have known that Alexander was misleading him. Nor am I saying that Alexander misled him. I

just say that the statements in the interview were wrong. Politicians, artists and celebrities usually have media consultants who take care of their image. Media consultants retouch ugly image wrinkles. They embellish and embellish. They are a bit of a juggler. That's just the way show business is. The show is the business. Once again: I'm not talking about Mr. Sahm. Not at all. I'm referring to the fact that media consultants devise which news items are good for the image and when. On November 27, 2011, I read a very apt article in the *FAZ* entitled *"A dangerous man"*. It was about the *"escape artist zu Guttenberg, who is cleverly staging his comeback after the public prosecutor's office dropped the investigation proceedings"*.

So who was this fictitious uncle of Alexander's who died a hero's death? It was neither the "adjutant of Goebbels" Friedrich Christian, nor was it SS-Obersturmbannführer and member of the SD Stephan. Nor was it Wolrad, who organized "humanitarian transports" in Lemberg and Krakow or earned money with the work of Henrikus Maria Vierling or exploited women in the Gemag (please enter "Gemag" in my book from 2006 online). No, the uncle was an invention that nobody would check. I had recognized the scam and that's why Alexander blew up. I also kept his emails.

Kurt von Plettenberg was not a relative. You can still read the incorrect content of the article. Mr. Sahm wrote to me that he would not consider correcting it. In his self-portrayal on Wikipedia, Alexander advertises his charity work in Israel. For example, he mentions the aid organization Mishan. Of course charity is positive and I welcome it. The Mishan Germany website devotes an entire page to Alexander. His curriculum vitae is presented there in detail. The former Prime Minister of Israel, Ehud Olmert, addresses potential donors with warm words. Alexander "Prince" zu Schaumburg-Lippe is presented as a patron. The commitment to the socially disadvantaged is commendable, no question. Hans Christian Rössler reported on former Prime Minister Olmert in the *FAZ* on April 16, 2010:

> *Bribe money for the luxury apartment According to press reports, it has been official since Thursday afternoon that the former Israeli Prime Minister belongs to the closest circle of suspects in what is perhaps the biggest corruption scandal in the small country to date [. . .]. The head of government, who resigned in 2009 and was previously also*

Minister of Industry and Mayor of Jerusalem, is actually enough work for Israeli lawyers: the first court case against a former Israeli prime minister for corruption in three cases has been ongoing since last fall. The latest accusations date back to Olmert's time in office as mayor from 1993 to 2003. "Holyland" is the name of the ostentatious building complex with hundreds of luxury apartments, the construction of which clearly justified all means to an end. At the end of the 1990s, more bribes were apparently paid to obtain the necessary building permits for the project, which was fiercely opposed by residents and architects alike due to its size, than possibly ever before in Israel. According to initial estimates, it is said to have been at least 15 million dollars. The judge who ordered the first arrests a week ago therefore spoke of "one of the worst cases of corruption in the country's history" [...]. The police arrested Olmert's successor and former deputy mayor. Uri Lupolianski was the city's first ultra-Orthodox mayor and had previously gained respect not only among religious Jews for his social commitment: Through the aid organization he founded, Jad Sara, which primarily assists poor elderly people, the modest local politician is said to have received the equivalent of around
have received 600,000 euros [...]"

The topic of charity should be examined more closely. Also after the revelations about Urdangarin, the son-in-law of the Spanish king. I found the pictures of 90-year-old Olga Onassis shocking. Her fate was wrongly attributed to the Greek crisis. This old lady, Olga Onassis, 90 years old, lives in undignified conditions because her family does not look after her. What a disgrace! Such a fate usually befalls women.

I know of several examples of older women who did things they would never have done under normal circumstances because they were short of money: The well-known
The "adoptive prince", Frederic Prince of Anhalt, had himself adopted for money. The old lady, Maria Augusta von Anhalt, did it out of necessity, just for that reason. My mother told me at the time that she knew Maria Augusta and that she only did it for that reason. Then the fine gentlemen shouldn't get upset about adoptive princes. **If the "houses" took care of the weak members of the family, it wouldn't happen. Victoria of Prussia, the Emperor's sister, died in poverty.**

I can understand that Alexander was and is angry with me. It was around the end of 2009 when the State Office came to the conclusion that a fair solution could only be to reach an agreement between us. To understand: the State Office had to assess whether in 1945 the siblings were expropriated jointly or only Wolrad as part of the land reform in Mecklenburg and Brandenburg and therefore had to be compensated. The State Office was of the opinion, as I was, that the siblings had lost property jointly. The logic of the state office was plausible. Alexander had submitted an application for his grandfather Wolrad within the deadline and I had submitted one for the community of heirs within the deadline. The state office recommended that we come to an agreement. Alexander should switch his application to the community of heirs and the state office would declare everyone eligible. That would have helped my mother and my brother a lot. Alexander was not enthusiastic, especially not with regard to the Steyerling estate. The state office recommended that I meet Alexander in person. His lawyers signaled their willingness to negotiate in writing. The historical working group in Schaumburg-Lippe invited me to Bückeburg for the presentation of the book *Schaumburg National Socialists*. The event took place in November 2009 in the rooms of the state archives in the castle. Shortly after the event began, Alexander entered, having been delayed by a dental appointment. I sat far back, he sat in the front row. The event ended and I stopped at the back near the exit. He had to walk in my direction to leave the hall. He knew that I had arrived and would be attending the event, as I had gratefully accepted the invitation. As is usual at such events, the local press was present. The book author and speaker was Frank Werner, editor-in-chief of the *Schaumburger Zeitung*. Alexander, whom I hadn't seen for 19 years, came up to me, shook my hand and asked about my brother, who was seriously ill. I had informed him of this during our correspondence about Ulrich Sahm. We went to a smaller room on the same floor. Shortly before we were photographed, Alexander was holding Frank Werner's book in his hand and I was looking at him. I have not included the picture here to avoid a copyright infringement claim. Once we were in the small room, Alexander got going. He gave me a loud lecture. I said I had come to find an amicable solution. We could come to an agreement. He accused me of being a

I had succumbed to the myth that I was this and that. I told him I could understand his anger, but he also had to understand that it was a mess if he locked away documents. I had ancestors too, not just him. Besides, I was, and still am, convinced that his branch of the family had used dishonest methods. We touched on some matters that I don't want to repeat. The head of the archives came into the room and wanted to hear our argument at close quarters. I didn't like that. I would have liked to talk to him without "witnesses". But Alexander obviously didn't want that. We talked for about 90 minutes. At the end, he told me that his lawyers would contact me. We shook hands. What struck me was that he didn't look me in the eye when we shook hands. I left with the feeling that the trip had been in vain. 2 days later, the *Schaumburg newspaper* published a small report with a photo of the two of us. Title of the note:
"Visit from Spain". Next to the photo was:

> *Rare family encounter in the State Archives: On the fringes of the presentation of the new book* Schaumburger Nationalsozialisten, *Alexander zu Schaumburg-Lippe met with book author Alexander vom Hofe, who had traveled all the way from Spain. Vom Hofe does not exactly enjoy the best reputation in the princely family due to his claims of inheritance and crude conspiracy theories about the Nazi era. After the book launch, however, the two were seen engrossed in a lengthy conversation - even though Alexander zu Schaumburg-Lippe was fresh from a dentist appointment. Has the dispute now been settled? One can doubt it.*

I heard later that Alexander presented my visit as if I had only come to "make good weather" and to more or less apologize to him. That wasn't true. I had come to bring about an agreement, which the state office had advised me to do. You can make mistakes like that. Alexander obviously didn't need to give in or find an amicable solution. That's why he didn't look me in the eye when we said goodbye. I had believed the authorities, that's why I had come. With hindsight and from a distance, I also have doubts about this.

Concealment is often the way out for lawbreakers. By withholding relevant documents and keeping those affected away from proceedings, the state takes

He takes sides: first and foremost for himself and often for his business partners. This is not the rule of law, but it is efficient. The state as judge in its own cause.

The federal and state governments have no intention of allowing light to penetrate the following transactions: Sale of the ideal half of the Steinhuder Meer to the State of Lower Saxony, sale of the Palais Schaumburg to the Wehrmacht, sale of the Vries sculptures now on display in the Bode Museum, sale of paintings to Karl Haberstock now hanging or stored in the Augsburg Museum, sale of the Fürstenhof in Bad Eilsen to the State of Lower Saxony (LVA). Nor should anyone know that Adolf Prince of Schaumburg-Lippe was persecuted, that the authorized representative and executor of his will, Henckel Graf von Donnersmarck, was taken into custody, his documents confiscated, his last will and testamentary dispositions removed or kept "under lock and key". I didn't think it was possible at first. Anyone who studied in Germany, completed their legal clerkship and left the Federal Republic immediately afterwards tends to idealize the West German justice system a little. I believed that access to documents was part of the minimum requirement for transparency, for equal opportunities. I also believed that archives could be inspected. I realized that I had to see Germany in a positive light. My parents never spoke negatively about Germany and at school Germany was always presented as a positive example. I had assumed that the administrative court in Greifswald would treat the case with aplomb. There were also reasons to assume this. The state office was asked by the administrative court to present certain allegations against Wolrad. However, I got the impression that someone else took the helm at the beginning of 2010, very similar to when the search warrants were refused in 2008. Suddenly there were no grounds for suspicion, no National Socialist involvement.

It seems as if they didn't want to mess things up with the "former owner", who wanted to buy land from the federal government on better terms or has since bought it or sold his right of first refusal. It was not just about the Boldebuck estate near Güstrow, about 900 hectares in size. Indirectly, it was also about Steyrling, 9000 hectares in size, and the history of Palais Schaumburg in Bonn.

This was stated in the 2009 coalition agreement:

> *The utilization of the land owned by Bodenverwertungs- und Verwaltungs GmbH (BVVG) is to be expedited with greater consideration of agri-structural concerns and essentially completed by 2025. The BVVG's current sales practice will be reviewed. We are pushing through improvements to the Land Acquisition Amendment Act in the interests of the former owners.*

The idea of allowing former owners to buy land at a reduced price was particularly popular with the FDP. Alexander was and is happy to be photographed with his friends Philipp Rösler and Guido Westerwelle. As an FDP member, he is also allowed to do this.

It became clear to me that both a complete clarification of the "former owners" and an examination of Wolrad's worthiness were undesirable. Each of my research results was undesirable.

In Alexander's lawsuit before the Greifswald Administrative Court, the state office did not even appear at the hearing and the Administrative Court awarded Alexander the sole claim. The archives were not inspected and the will remained under lock and key.

The fact that archives remain closed and the fact that it is undesirable to check the worthiness of those involved in National Socialism - all these tendencies follow the logic of the completion of an illegal appropriation. And this logic demands obfuscation. And anyone who researches in this direction is considered a dubious conspiracy theorist.

The most serious document for me was a memo dated March 13, 2002 in the file of the Schwerin State Office, printed on p. 314: *"Access to the archive not absolutely necessary"*. This meant that research and clarification were undesirable.

Alexander claimed all rights as if this were a natural right of the "Princes". That is why he allowed himself to be celebrated as a prince in the tabloids. His grandfather wrote in the supplement to the Hannoverscher Kurier on August 24, 1933: *"When our Führer's will and Count Wilhelm's spirit unite, the new Germany will have found a most unshakeable support."* Alfred Meyer signed the foreword to the article. The photograph: Wolrad in military uniform.

Count Wilhelm considered "purely defensive warfare" to be the only justifiable option for ethical reasons (see his theory of purely defensive warfare). Stephan Kekule von Stradonitz, best man at Adolf's wedding, wrote an article in 1907 entitled: *"Was Count Wilhelm zu Schaumburg-Lippe a Freemason?"*. His answer was: Yes. Von Stradonitz, himself a Freemason, wrote: *"His whole school of thought was a Masonic one"*.

If the state enters into alliances that turn out to be problematic in retrospect, the result is "obfuscation", never clarification. Clarification "not necessary". If you don't believe it, you can ask Prof. Dr. Michael Buback.

It is not surprising that in the "Third Reich" "authorities" were instrumentalized in order to eliminate disagreeable documents or to misappropriate investigative proceedings, for example to eliminate people economically. We have become accustomed to such findings.

I passed an assessor exam in the Federal Republic of Germany, was admitted to the bar in Berlin and took the oath. But the director of the local court in Bückeburg prevented inheritance documents from being sent to me in Madrid. That is a fact.

That the State Archives in Bückeburg withhold documents that belong in the probate court, that the Higher Regional Court in Celle and the Higher Administrative Court in Lüneburg refuse to allow the co-heirs to inspect the archives, that the Administrative Court in Greifs- wald does not summon co-heirs, that it decides without inspecting existing documents, that the State Office in Schwerin rejects applications from the truly aggrieved co-heirs because they are out of time, that the State Office does not appear at the oral hearing - what can be said about this? There was probably no other way. The cat realized that it could bite its own tail.

Appendix 1: J u d g m e n t

Abschrift

VERWALTUNGSGERICHT
GREIFSWALD

Aktenzeichen:
2 A 1175/07

IM NAMEN DES VOLKES

URTEIL

In dem Verwaltungsstreitverfahren

Alexander Prinz zu Schaumburg-Lippe,
Schloß Bückeburg

Proz.-Bev.:
Rechtsanwälte Dr. Dehne & Partner,
Bahnhofstraße 29, 31008 Elze

- Kläger -

gegen

Landesamt zur Regelung offener Vermögensfragen Mecklenburg-Vorpommern,
Wismarsche Straße 159-161, 19053 Schwerin

Proz.-Bev.:
Rechtsanwalt Clemens C. Vogelsberg,
Sieglindestraße 7, 12159 Berlin

- Beklagter -

wegen

Ausgleichsleistungsrecht

hat die 2. Kammer des Verwaltungsgerichts Greifswald aufgrund der mündlichen Verhandlung vom

5. April 2011

durch den Vorsitzenden Richter am Verwaltungsgericht Hünecke,
den Richter am Verwaltungsgericht Humke und
die Richterin am Verwaltungsgericht Thews
sowie den ehrenamtlichen Richter Uhteg
und den ehrenamtlichen Richter Bachmann

für Recht erkannt:

Der Beklagte wird unter Aufhebung seines Bescheides vom 24. Juli 2007 verpflichtet festzustellen, dass der Kläger einen Anspruch auf eine Entschädigung für die im Zuge der Bodenreform enteigneten Güter in Vietgest, Nienhagen mit Hütte Nienhagen und Schwiggerow sowie Reinshagen, Boldebuck mit Mühlengeez, den Langhagen-See und Krümmel mit Troja und Ichliem hat.

Die Kosten des Verfahrens trägt der Beklagte.

Das Urteil ist wegen der Kosten vorläufig vollstreckbar. Der Beklagte darf die Vollstreckung durch Sicherheitsleistung oder Hinterlegung in Höhe von 100 v.H. der zu vollstreckenden Kosten abwenden, wenn nicht der Kläger vor der Vollstreckung Sicherheit in entsprechender Höhe leistet.

Die Revision wird nicht zugelassen.

Tatbestand:

Die Beteiligten streiten über Ansprüche nach dem Ausgleichsleistungsgesetz.

Fürst Adolf zu Schaumburg-Lippe erbte 1911 von seinem Vater Fürst Georg das gesamte nicht zum fideikommissarischen Hausgut gehörige Vermögen. Dazu gehörten auch die streitgegenständlichen in Mecklenburg gelegenen Lehngüter.

Am 07.09.1911 erließ Fürst Adolf ein Hausgesetz. In Art. 1 dieses Gesetzes heißt es:

„Der zu Unserem privaten Vermögen gehörige unbewegliche Besitz, das ererbte Hausgut Unseres Fürstlichen Hauses soll für alle Zeiten im Mannesstamme unseres Hauses nach den Regeln der Erstgeburt und der Linealfolge vererben. Zu diesem Hausgute sind, samt allem Zubehör, alle Unsere Begüterungen in Schaumburg-Lippe, Lippe, Preußen, Oldenburg, Mecklenburg, Österreich-Ungarn und Argeninien nach dem Stande vom 15. August 1911 zu rechnen, soweit sie nicht zu dem dominialen Fideikommissgut Unseres Fürstlichen Hauses oder zu dem Paragium im Fürstentum Lippe gehören, oder einem der beiden später zugelegt werden. ..."

Unter dem 22.01.1912 beantragte die Fürstlich Schaumburg Lippische Zentralverwaltung die Anweisung an das Grundbuchamt, die Lehngüter auf den „jetzt regierenden Fürsten umzuschreiben". Fürst Adolf wurde daraufhin – wie u.a. aus den Mitteilungen des Grundbuchführers beim Grundbuchamt für ritterschaftliche Landgüter vom 28.02.1940 und 12.10.1942 bzw. den bei den Akten befindlichen Einheitswertbögen hervorgeht -, für die Güter Boldebuck, Mühlengeez, Krümmel, Reinshagen, Vietgest, Nienhagen und Schwiggerow im Grundbuch als Eigentümer eingetragen.

Am 31.01.1913 erließ Fürst Adolf ein weiteres Hausgesetz, um die vermögensrechtlichen Verhältnisse der Familie zu regeln. In § 23 dieses Gesetzes heißt es u.a.:

„Zum Hausvermögen gehören folgende Vermögensmassen:
1. Das Domanium als Inbegriff aller der Güter und Rechte ...
2. Das Lippische Paragium als Inbegriff der Vermögenswerte ...
3. Das aus den Früchten des Hausvermögens (unter 1 u. 2) und aus dem sonstigen Privatvermögen vom Stifter des Hauses Schaumburg-Lippe geschaffene und von seinen Regierungsnachfolgern vermehrte Hausgut, das, herkömmlich als Familienstammgut behandelt, in der durch das Hausgesetz vom 7. September 1911 festgestellten Geschlossenheit nach den Vorschriften dieses Hausgesetzes verwaltet wird und sich als Familienfideikommiss im Mannesstamme des Fürstlichen Hauses nach dem Rechte der Erstgeburt und der Linealfolge vererbt (s. Anlage 2).
4. Das Krongut, d.h. die Gesamtheit ..."

Hinsichtlich des Domanialgutes schloss Fürst Adolf im Jahr 1920 mit dem Freistaat Schaumburg-Lippe einen Teilungsvertrag. Unter § 11 des Teilungsvertrages wurde Folgendes ausgenommen:

„Die dem Fürstlichen Hause Schaumburg-Lippe zufallenden Teile des bisherigen Domaniums und die zum Hausgut gehörenden Vermögenswerte bleiben als Familienfideikommissgut des vormals regierenden Fürstlichen Hauses Schaumburg-Lippe bestehen. Verwaltung und Nutzung behält das Oberhaupt des Fürstlichen Hauses."

Unter dem 01.11.1923 bescheinigte die Schaumburg-Lippische Landesregierung, dass das Fürstliche Haus Schaumburg-Lippe in privatrechtlicher Hinsicht eine Rechtspersönlichkeit des bürgerlichen Rechts und als solche auch in der Gesetzgebung des Landes anerkannt worden sei.

In dem Hausgesetz vom 08.12.1923 bestimmte Fürst Adolf daraufhin unter § 1:

> „Die Verfügung und Nutzung hinsichtlich des Hausgutes des Fürstlichen Hauses Schaumburg-Lippe und zwar sowohl hinsichtlich des Hausvermögens im Sinne des § 23 des Hausgesetzes vom 31. Januar 1913, wie hinsichtlich des von der ehemaligen Kabinettskasse verwalteten Hausallods steht mit Wirkung vom heutigen Tage ab dem Haus als solchem zu, das den Reinertrag ganz oder nach Abzug angemessener Rücklagen allen oder einzelnen Mitgliedern überweisen wird. ...“

Fürst Adolf verstarb am 26.03.1936. Er wurde von seinen Geschwistern Wolrad, Heinrich, Stephan und Friedrich Christian, Prinzen zu Schaumburg-Lippe, und von den Kindern der Baronin Hering-Frankensdorf, Sibylla und Hans Georg, beerbt.

Das Amtsgericht Bückeburg bescheinigte der Fürstlichen Hofkammer in Bückeburg am 18.09.1936, dass das Fürstliche Haus Schaumburg-Lippe eine selbständige juristische Person sei und zwar ein rechtsfähiger Verein im Sinne des BGB. Seine Satzungen würden jetzt das Hausgesetz vom 08.12.1923 mit Ergänzung vom 18.05.1925 bilden. Sein Vorstand sei die Fürstliche Hofkammer. Da die Hofkammer keine eigene Rechtspersönlichkeit besitze, könne sie nicht als Eigentümerin im Grundbuch eingetragen werden. Vielmehr sei als Eigentümer der zum Fürstlichen Hausgut gehörenden Grundstücke das Fürstliche Haus Schaumburg-Lippe im Grundbuch einzutragen. Nach § 23 des Hausgesetzes vom 31.01.1913 in Verbindung mit Art. 1 des Hausgesetzes vom 07.09.1911 würden zum Hausvermögen des Fürstlichen Hauses neben anderen Vermögensmassen alle Begüterungen in Schaumburg-Lippe, Lippe, Preussen, Oldenburg, Mecklenburg, Oesterreich-Ungarn und Argentinien nach dem Stand 15.08.1911 gehören. Das Eigentum an diesem Hausvermögen sei durch das Hausgesetz vom 08.12.1923 von den bisherigen hausgesetzlichen Bindungen befreit und in die juristische Person Fürstliches Haus Schaumburg-Lippe eingebracht worden. Dies Hausgesetz sei durch § 2 des Schaumburg-Lippischen Gesetzes vom 30.04.1928 anerkannt worden. Soweit danach die oben erwähnten Begüterungen auf Grund der früheren fideikommissarischen Bestimmungen noch auf den Namen des am 26.03.1936 verstorbenen Fürsten Adolf zu Schaumburg-Lippe eingetragen seien, sei diese Eintragung seit Erlass des Hausgesetzes vom

08.12.1923 unrichtig. Der wirkliche Eigentümer dieser Begüterungen sei seit dem genannten Tage die juristische Person „Fürstliches Haus Schaumburg-Lippe".

Das Mecklenburgische Staatsministerium – Abteilung Finanzen – erklärte unter dem 25.05.1939 gegenüber der Fürstlichen Zentralverwaltung, dass die Lehngüter Krümmel mit Ichlim und Troja, Reinshagen, Boldebuck und Mühlengeez nach dem Gesetz über das Erlöschen der Familienfideikommisse und sonstiger gebundener Vermögen vom 06.07.1938 (FidErlG) mit Beginn des 01.01.1939 freies Eigentum geworden seien und dass das lehnsherrliche Obereigentum des Landes Mecklenburg erloschen sei. Durch Beschluss des Fideikommissenats des OLG Celle vom 05.01.1940 einigten sich die Prinzen Stephan, Friedrich Christian und Heinrich mit Prinz Wolrad über das Hausvermögen. Alle Ansprüche gegen den „Fürsten" und das Fürstliche Haus sollten damit abgegolten sein. Dagegen legten die Prinzen Heinrich und Friedrich Christian Beschwerde ein; über diese wurde jedoch nicht entschieden.

Durch Beschluss des Vorsitzenden des Fideikommisssenats des OLG Celle vom 25.05.1940 wurde Wolrad ermächtigt, gemäß § 30 Abs. 1, 11 Abs. 2 und 24 FidErlG und § 86 der Durchführungsverordnung zu diesem Gesetz vom 20.03.1939 (DVFidErlG) den im Grundbuch des Gutes Vietgest verzeichneten Grundbesitz zu belasten.

Der 9. Fideikommisssenat des OLG Celle bescheinigte unter dem 17.06.1940, dass seit Erlass des Hausgesetzes vom 08.12.1923 das Fürstliche Haus Schaumburg-Lippe Eigentümer aller dem Chef des Fürstlichen Hauses Schaumburg-Lippe zustehenden Vermögenswerte geworden und die rechtliche Gebundenheit des Hausvermögens erloschen sei. Bei der Auflösung habe es nach § 2 des Schaumburg-Lippischen Gesetzes über die Aufhebung der Standesvorrechte des Adels und die Auflösung des Hausvermögens vom 30.04.1928 sein Bewenden behalten. Nach § 86 Abs. 2 Satz 1 der DVFidErlG gelte aber die Auflösung als noch nicht durchgeführt. Als Inhaber des Hausvermögens im Sinne des § 86 Abs. 2 Satz 5 DVFidErlG und damit als Versorgungsberechtigter habe sich Wolrad Prinz zu Schaumburg-Lippe in Hagenburg am Steinhuder Meer ausgewiesen. Bis zur Erteilung des Auflösungsscheins sei der Inhaber des Hausvermögens gemäß § 11 Abs. 2 i.V.m. mit § 30 FidErlG in der Verfügung über das Hausvermögen beschränkt.

Der Reichsminister der Justiz stellte unter dem 09.09.1941 auf Grund des § 86 Abs. 1 Satz 3 und Abs. 2 Satz 6 DVFidErlG fest, dass Wolrad Prinz zu Schaumburg-Lippe in Bü-

ckeburg bei dem ehemaligen Fürst Schaumburg-Lippischen Hausvermögen die Rechtsstellung des Hausgutsinhabers einnehme.

Prinz Wolrad beantragte unter dem 09.03.1942 beim Mecklenburgischen Staatsministerium in Schwerin, ihn – Prinz Wolrad - als „Folger" in die Lehngüter Reinshagen, Boldebuck, Mühlengeez und Krümmel anzuerkennen und die Anerkennungsurkunde zu übersenden. Das Ministerium übersandte unter dem 13.06.1942 die lehnsherrlichen Anerkennungen des Prinzen Wolrad als Besitzer der Güter Krümmel, Reinshagen, Boldebuck und Mühlengeez. Dem OLG Rostock legte Prinz Wolrad diese dann vor und beantragte, ihn als Eigentümer des bisherigen Lehngutes Reinshagen im Grundbuch einzutragen. Unter dem 28.01.1943 wurden Lehnsauflösungsscheine für die ritterschaftlichen Landgüter Boldebuck, Reinshagen und Mühlengeez sowie Krümmel mit Ichlim und Troja durch das OLG Celle ausgestellt. Unberührt bleibe – so das OLG Celle - die Zugehörigkeit zu dem Schaumburg-Lippischen Hausvermögen, so dass der Besitzer nur nach Maßgabe der §§ 11 Abs. 2, 24, 30 FidErlG darüber verfügen könne.

Im Jahre 1942 wurde Prinz Wolrad als Eigentümer der Güter Krümmel, Boldebuck, Reinshagen, Nienhagen und Vietgest im Grundbuch als Eigentümer eingetragen. Ausweislich des Einheitswertbescheids vom 13.01.1943 sei das Landgut Schwiggerow auf Prinz Wolrad übergegangen. Durch Lehnsauflösungsschein vom 28.01.1943 bescheinigte der 9. Fideikommissenat des OLG Celle, dass die Lehnseigenschaft betreffend die Landgüter Krümmel mit Ichlim und Troja, Reinshagen, Boldebuck und Mühlengeez erloschen und mit dem Freiwerden des Lehnsvermögens das lehnsherrliche Obereigentum weggefallen sei. Unberührt bleibe jedoch die Zugehörigkeit zu dem Schaumburg-Lippischen Hausvermögen, so dass der Besitzer nur nach Maßgabe der §§ 11 Abs. 2, 24, 30 FidErlG verfügen könne. Ausweislich der Beschlüsse des 9. Fideikommisssenats des OLG Celle vom 21.10.1943 und 16.08.1943 gehörten die Güter Krümmel, Vietgeest, Reinshagen, Nienhagen mit Hütte und Schwiggerow sowie Boldebuck, für deren Fläche Schutzforste gebildet wurden, zum Schaumburg-Lippeschen Hausvermögen; Prinz Wolrad sei deren Inhaber.

Am 16.07.1944 teilte das OLG Celle dem Reichsminister der Justiz mit, dass die Auflösung des Schaumburg-Lippischen Hausvermögens, die nach § 86 Abs. 2 Satz 1 DVFidErlG als noch nicht durchgeführt gelte, noch nicht zum Abschluss gebracht sei. Insbesondere sei noch kein Auflösungsschein erteilt worden.

Aufgrund der Anregung durch den Fideikommisssenat des OLG Celle vom 30.03.1950 schloss Prinz Wolrad mit den Prinzen Stephan, Heinrich und Friedrich Christian einen Vergleich. Die Gültigkeit der Beschlüsse des OLG Celle – Fideikommisssenat – vom 05.01.1940 wurde darin von allen Beteiligten anerkannt.

Der Fideikommisssenat des OLG Celle beschloss am 02.01.1953, dass das Fürstliche Hausgut mit dem Beginn des 1. Juli 1939 in der Hand des jetzigen Hausgutinhabers, des „Fürsten" Wolrad zu Schaumburg-Lippe in Hagenburg freies Eigentum geworden sei.

Philipp-Ernst Prinz zu Schaumburg-Lippe beerbte Prinz Wolrad, der am 15.06.1962 verstarb. Der Kläger beerbte seinen am 28.09.2003 verstorbenen Vater Prinz Philipp.

Unter dem 27.06.1990 meldete Prinz Philipp vermögensrechtliche Ansprüche an. Durch Bescheid vom 15.03.1993 lehnte der Beklagte den Rückübertragungsantrag ab. Nachdem Prinz Philipp die gegen den bezeichneten Bescheid erhobenen jeweiligen Klagen zurückgenommen hatte, wurden die Verfahren durch Beschlüsse vom 26.10.1993 und 04.11.1993 eingestellt.

Mit Schreiben vom 12.05.1995 beantragte Prinz Philipp eine Ausgleichsleistung nach dem Entschädigungs- und Ausgleichsleistungsgesetz für die im Zuge der sogenannten Bodenreform entschädigungslos enteigneten landwirtschaftlichen Güter in Vietgest (1.078 ha), Nienhagen (904 ha) mit Hütte Nienhagen und Schwiggerow (710 ha) sowie Reinshagen (490 ha), Boldebuck (1.076 ha) mit Mühlengeez (260 ha), den Langhagen-See und Krümmel mit Troja und Ichliem (1.055 ha).
Der Beklagte lehnte den Antrag auf Ausgleichsleistung durch Bescheid vom 24.07.2007 ab.

Zur Begründung führte er aus:

Wolrad Prinz zu Schaumburg-Lippe sei zum Zeitpunkt der Enteignung am 07.09.1945 nicht Eigentümer der begehrten Güter gewesen. Ein Anspruch auf Ausgleichsleistung setze jedoch gemäß § 1 Abs. 1 Satz 1 AusglLeistG voraus, dass natürliche Personen Vermögenswerte i.S.v. § 2 Abs. 2 VermG durch entschädigungslose Enteignungen auf besatzungsrechtlicher oder besatzungshoheitlicher Grundlage im Beitrittsgebiet verloren hätten. Vermögenswerte i.S.v. § 2 Abs. 2 VermG seien u.a. Eigentum/Beteiligungen an Unternehmen bzw. Grundstücken. Die Besonderheit des § 2 Abs. 2 VermG bestehe darin,

dass maßgeblich die sachenrechtliche Rechtsposition im Schädigungszeitpunkt (hier: die Enteignung im Zuge der Bodenreform am 07.09.1945) sei. Auf die Frage, ob ein Anspruch auf Übereignung bestanden habe, komme es nicht an. Unstreitig sei zwar, dass Prinz Wolrad auf Ersuchen des OLG Celle im Grundbuch als Eigentümer eingetragen worden sei. Formal gesehen sei also Prinz Wolrad im Zuge der Bodenreform enteignet worden, da er im Zeitpunkt der Entschädigung als Eigentümer eingetragen gewesen sei. Es komme aber gemäß § 2 Abs. 2 VermG nicht darauf an, ob er im Grundbuch als Eigentümer eingetragen gewesen sei, sondern ob er tatsächlich Eigentum erworben habe. Eigentum werde durch Auflassung und Eintragung oder durch Rechtsnachfolge oder per Gesetz bzw. durch gerichtliche Entscheidung erworben. Ein Eigentumserwerb von Prinz Wolrad habe jedoch nicht festgestellt werden können. Die Grundbuchberichtigungsersuchen des OLG Celle würden keinen konstitutiven Eigentumserwerb begründen. Der anlässlich der Einigung in Betracht kommende Beschluss des OLG Celle vom 05.01.1940 sei mit der sofortigen Beschwerde angegriffen worden. Über diese habe das oberste Fideikommissgericht jedoch nicht mehr entscheiden können. Eine Einigung der Erben habe mithin bis zum 07.09.1945 (dem Tag der Enteignung) nicht stattfinden können. Im Übrigen hätten sich die Erben von Fürst Adolf am 05.01.1940 auch nicht über den Eigentumsübergang geeinigt. Das Eigentum sei auch nicht im Zuge der Fideikommissauflösung per Gesetz auf Wolrad Prinz zu Schaumburg-Lippe übergegangen, da die Güter im Zeitpunkt des Todes von Fürst Adolf sachenrechtlich nicht im Eigentum des Fürstlichen Hauses Schaumburg-Lippe gestanden hätten. Fürst Adolf habe die beantragten Vermögenswerte dem fürstlichen Haus Schaumburg-Lippe weder 1923 noch in der Folge sachenrechtlich übereignet. Ohne lehnsherrliche Zustimmung sei Fürst Adolf nicht befugt gewesen, Lehngüter der juristischen Person Fürstliches Haus Schaumburg-Lippe zu übereignen. Hausvermögen sei zumindest in Mecklenburg nicht als Fideikommiss betrachtet worden. Prinz Wolrad sei auch nicht Eigentümer der Güter aufgrund Lehnsfolge geworden. Zwar sei aufgrund des Hinweises des Mecklenburgischen Staatsministeriums vom 03.06.1941 über die Ungebundenheit der Güter in Mecklenburg 1941/1942 um lehnsherrliche Anerkennung von Prinz Wolrad ersucht worden. Die lehnsherrliche Anerkennung sei im Zusammenhang mit der entgeltlichen Ablösung des Obereigentums auch erteilt worden. Sie habe aber keinen konstitutiven Eigentumserwerb seitens Prinz Wolrads bewirkt, da eine Auseinandersetzung der Lehnserben nicht stattgefunden habe.

Der Bescheid wurde dem Kläger am 26.07.2007 zugestellt.

Der Kläger hat am 13.08.2007 Klage erhoben. Zur Begründung führt er aus:

Der angefochtene Bescheid verkenne das Wesen des rückwirkend wirksam gewordenen Beschlusses der Fideikommission vom 05.01.1940. Mit dem Beschluss habe nicht etwa dem Prinzen Wolrad das Hausgut übertragen werden sollen, sondern es habe die Entschädigung festgesetzt werden sollen, die den Prinzen Stefan Heinrich und Friedrich Christian deswegen zugestanden habe, weil Prinz Wolrad ab 01.06.1939 Inhaber des Hausgutes geworden sei. Selbst wenn man aber meine, das Hausgesetz vom 08.12.1923 sei unwirksam, hätte das nicht zur Folge gehabt, dass die Besitzungen in Mecklenburg, die Bestandteil des Hausgutes gewesen seien, in den frei vererblichen Nachlass des Fürsten Adolf gefallen wären. Denn im Falle der Nichtigkeit des Hausgesetzes vom 08.12.1923 hätte es dann bei dem Rechtsstand auf der Grundlage der dann weiter geltenden Hausgesetze von 1911 und 1913 verbleiben müssen bis zum reichsgesetzlichen Erlöschen des Sondervermögens per 1939. Danach wäre im Endergebnis wieder Prinz Wolrad als nächstberufenes Oberhaupt des Hauses nach Fürst Adolf zugleich Erbe des Hausgutes geworden. Unstreitig sei zum Zeitpunkt der Schädigung in den Grundakten von Krümmel, Nienhagen, Boldenbuck, Mühlengeez, Reinshagen, Wolrad Prinz zu Schaumburg-Lippe auch als Eigentümer eingetragen gewesen. Im vorliegenden Fall sei die Vermutung des § 891 BGB, dass Prinz Wolrad zu Schaumburg-Lippe zum Zeitpunkt der Enteignung Eigentümer der enteigneten Güter gewesen sei, nicht zu widerlegen. Diese Vermutung entspreche auch der eindeutigen Rechtslage. Zudem sei die Umschreibung auf der Basis einer rechtskräftigen rechtsgestaltenden Entscheidung des Fideikommisssenats erfolgt. Derartige Eintragungen könnten nur durch die Wiederaufnahme des Verfahrens und anderslautender Entscheidungen widerlegt werden. Die Umschreibung der Grundbücher sei in der Regel auf Anordnung des Vorsitzenden des Fideikommisssenats des OLG Celle (ausnahmsweise durch Vorlage des Auflösungsscheins, ausgestellt vom Fideikommissgericht Celle) erfolgt. Unstreitig sei der Fideikommisssenat des OLG Celle, nicht der des OLG Rostock, zuständig gewesen. Den diversen Ersuchen auf Eintragung des Prinzen Wolrad in den verschiedenen Grundbüchern sei jeweils eine rechtskräftige rechtsgestaltende Entscheidung des Fideikommisssenats des OLG Celle vorausgegangen, die schon kraft Gesetzes den Eigentumsübergang auf den Prinzen Wolrad bewirkt habe. Die Eintragung im Grundbuch habe lediglich noch eine Grundbuchberichtigung dargestellt. Die Tatsache, dass der Vorsitzende des zuständigen Fideikommisssenats des OLG Celle die Grundbuchämter jeweils einzeln aufgefordert habe, die streitgegenständlichen Grundbücher auf Prinz Wolrad zu Schaumburg-Lippe umzuschreiben, zeige, dass dieser aufgrund der diversen Entscheidungen des zuständigen Fideikommisssenats Eigentümer der jeweiligen Güter geworden sei. Diese rechtskräftigen rechtsgestaltenden

Entscheidungen des Fideikommisssenats seien im vorliegenden Verfahren nicht mehr angreifbar. Es gäbe keine Unterlagen darüber, dass eines der Güter, deren Restitution begehrt worden sei, zum Zeitpunkt der Enteignung von irgendjemand direkt als Privatvermögen der Erbengemeinschaft nach Fürst Adolf zu Schaumburg-Lippe angesehen worden sei. Die Entscheidungen, dass Prinz Wolrad als Fideikommissbesitzer Eigentümer der Mecklenburgischen Güter geworden sei, sei nicht angefochten worden, anderenfalls wäre auch das Ersuchen des Senatsvorsitzenden auf Eigentumsumschreibung nicht ergangen. Soweit es sich um die Güter handele, deren Übertragung beantragt werde, lägen jeweils die lehnsrechtlich erforderliche Zustimmung des Mecklenburgischen Staatsministeriums vor. Sie sei vom Fideikommisssenat vor den Entschädigungen immer eingeholt worden. Aus dem vom 13.06.1942 datierenden Schreiben des Mecklenburgischen Staatsministeriums an die Rechtsanwälte des Prinzen Wolrad gehe hervor, dass die Mecklenburgische Staatsregierung Prinz Wolrad als Besitzer der einschlägigen Güter anerkannt und mit den Entschädigungen für das Erlöschen des lehnsherrlichen Obereigentums belastet habe. Aus der Tatsache, dass das Mecklenburgische Staatsministerium die Entschädigung für den Untergang des Lehnseigentums gegenüber Prinz Wolrad geltend gemacht habe, sei zu entnehmen, dass die Staatsregierung diesen für den Inhaber der Lehngüter Boldebuck, Krümmel, Mühlengeez, Reinshagen, Wilhelminenhof angesehen und mithin auch dessen Inhaberschaft nach dem einschlägigen Lehnsgesetz bestätigt habe. Wie aus § 147 der Mecklenburgischen Verordnung vom 09.04.1899 zur Ausführung des bürgerlichen Gesetzbuches hervorgehe, werde in der Regel beim Fideikommiss nicht der Name des Fideikommiss, sondern der des „Treuhänders" im Grundbuch eingetragen. Um den nach dem ersten Weltkrieg entstehenden Problemen im Hinblick auf die Standesvorrechte des Adels zu entgehen, habe das Fürstenhaus Schaumburg-Lippe durch das Hausgesetz vom 08.12.1923 versucht, das gebundene Vermögen dadurch aufzuheben, dass „die Verfügung und Nutzung hinsichtlich des Hausgutes des Fürstlichen Hauses Schaumburg-Lippe ... ab dem heutigen Tage dem Haus als solchem zusteht, dass ein Reinertrag ganz oder teilweise allen oder einzelnen Mitgliedern überwiesen wird". Die nutzungsberechtigten Mitglieder seien jedoch die gleichen Personen, die nach den älteren Hausgesetzen die Berechtigten bei dem gebundenen Sondervermögen seien. Deswegen erscheine das Ganze wie ein „Etikettenschwindel" und bestimme § 86 DVFidErlG zu Recht:

> „Ist die Auflösung eines Hausvermögens oder eines Hausgutes in der Weise vorgenommen worden, dass das Vermögen dem Hause als einer juristischen Person verblieben oder übertragen worden ist, so gilt die Auflösung als noch nicht durchgeführt. Das Hausvermögen oder das Hausgut ist als solches bestehend zu be-

handeln. Das gilt auch dann, wenn das Haus seine Organisation inzwischen geändert hat. Die Vorschriften des Erlöschens der Fideikommisse sind sinngemäß anzuwenden."

Damit sei festgelegt, dass das ursprüngliche Hausgut, d.h. auch an den mecklenburgischen Gütern trotz des Hausgesetzes von 1923 beim Tode des Fürsten Adolf noch fortbestanden habe, so dass die Frage, ob das Hausgesetz von 1923 eventuell gemäß § 138 BGB unwirksam gewesen sei, nicht weiter geprüft werden müsste. Des Weiteren wäre zu prüfen, ob vorliegend überhaupt eine Genehmigung nach § 26 der Verordnung vom 09. April 1899 zur Ausführung des Bürgerlichen Gesetzbuchs erforderlich gewesen sei. Das fürstliche Haus Schaumburg-Lippe sei jedenfalls keine juristische Person, wie sie unter den 2. Titel der Verordnung § 13 ff. definiert werde. Weiter frage es sich, ob das Haus Schaumburg-Lippe die Lehngüter, die mecklenburgischen Güter i.S.v. § 26 „erworben" habe.

Der Kläger beantragt,

den Bescheid des Beklagten vom 24. Juli 2007 aufzuheben und festzustellen, dass der Kläger Anspruch auf Ausgleichsleistung hat für die im Zuge der Bodenreform enteigneten Güter in Vietgest, Nienhagen mit Hütte Nienhagen und Schwiggerow sowie Reinshagen, Boldebuck mit Mühlengeez, den Langhagen-See und Krümmel mit Troja und Ichliem.

Der Beklagte beantragt,

die Klage abzuweisen.

Zur Begründung bezieht er sich zunächst auf sein bisheriges Vorbringen und führt ergänzend aus:

Geschädigter sei die Erbengemeinschaft nach Adolf Fürst zu Schaumburg-Lippe. Nur als deren Mitglied, nicht aber für sich allein könne Wolrad Prinz zu Schaumburg-Lippe an den Gütern bis zu deren Enteignung im Jahre 1945 wirksam Eigentum erworben haben. Aus den Einträgen der Grundbücher für die in Mecklenburg belegenen Güter habe weder eine hausgesetzliche Bindung noch Eigentum des Fürstlichen Hauses Schaumburg-Lippe ermittelt werden können. Auch sei die für einen Erwerb der Lehngüter durch das fürstliche Haus Schaumburg-Lippe erforderliche lehnsherrliche Genehmigung nicht festgestellt worden. Ein Vergleich mit den Miterben sei erst am 04.06.1951, also nach den Enteignungen, aufgrund der Bodenreform geschlossen worden und vom OLG Celle durch Beschluss ge-

nehmigt worden. Der Beschluss vom 05.01.1940 habe die Miterben sachenrechtlich nicht binden können. Deshalb werde nur vorsorglich auf Folgendes hingewiesen: Gemäß § 7 der VO der britischen Militärregierung vom 25.11.1946 habe eine beim obersten Fideikommissgericht anhängige Beschwerde mit der Maßgabe erledigt sein sollen, dass die angefochtene Entscheidung mit Inkrafttreten dieser VO (= 16.12.1946) rechtskräftig geworden sei. Diese Verordnung sei aber erst nach den Enteignungen der streitgegenständlichen Güter aufgrund der Bodenreform vom 07.09.1945 erlassen worden. Des Weiteren würden ihr – nach seinem – des Beklagten – Kenntnisstand – nicht Liegenschaften in der „sowjetischen Zone" unterfallen. Dementsprechend wäre die tatsächliche ausstehende Einigung der Miterben über deren Verzicht und Alleineigentum des Wolrad Prinz zu Schaumburg-Lippe nicht durch die verordnungsrechtliche Erledigungsfiktion ersetzt worden.

Wegen der weiteren Einzelheiten des Sachverhalts wird Bezug genommen auf die Gerichtsakten (2 A 1175/07, 5 B 1268/05 und 5 A 1302/05), die Sachvorgänge des Beklagten und die Akten des OLG Celle zu dem Aktenzeichen 7 U 159/02.

Entscheidungsgründe:

Das Gericht konnte trotz Ausbleibens des Beklagten in der mündlichen Verhandlung entscheiden, weil der Beklagte mit der Ladung darauf hingewiesen worden war, dass beim Ausbleiben eines Beteiligten auch ohne ihn entschieden werden könne (§ 102 Abs. 2 VwGO).

Die Klage hat Erfolg. Sie ist zulässig und begründet.

Die Klage ist zulässig.
Die Klage ist auch ohne betragsmäßig bestimmten Antrag zulässig, weil der Streit um die Frage, wer zum Zeitpunkt der Enteignung am 07.09.1945 Eigentümer der bezeichneten Güter war, der Bestimmung der Höhe der Ausgleichsleistung vorgelagert ist. Letztere war vom Beklagten noch nicht ermittelt und hat bislang nicht in Streit und zur gerichtlichen Überprüfung kommen können.

Die Klage ist begründet.

Der angefochtene Bescheid ist rechtswidrig und verletzt den Kläger in seinen Rechten. Der Bescheid ist daher aufzuheben. Der Beklagte hat festzustellen, dass der Kläger einen Anspruch auf Entschädigung für die im Zuge der Bodenreform enteigneten Güter in Vietgest, Nienhagen mit Hütte Nienhagen und Schwiggerow sowie Reinshagen, Boldebuck mit Mühlengeez, den Langhagen-See und Krümmel mit Troja und Ichliem nach dem Ausgleichsleistungsgesetz hat (vgl. § 113 Abs. 5 Satz 1 VwGO).

Nach § 1 Abs. 1 Satz 1 des Gesetzes über staatliche Ausgleichsleistungen für Enteignungen auf besatzungsrechtlicher oder besatzungshoheitlicher Grundlage, die nicht mehr rückgängig gemacht werden können - Ausgleichsleistungsgesetz (AusglLeistG) -, erhalten natürliche Personen, die Vermögenswerte im Sinne des § 2 Abs. 2 des Gesetzes zur Regelung offener Vermögensfragen (Vermögensgesetz) durch entschädigungslose Enteignungen auf besatzungsrechtlicher oder besatzungshoheitlicher Grundlage in dem in Artikel 3 des Einigungsvertrages genannten Gebiet (Beitrittsgebiet) verloren haben, oder ihre Erben oder weiteren Erben (Erbeserben) eine Ausgleichsleistung nach Maßgabe dieses Gesetzes. Leistungen nach diesem Gesetz werden nicht gewährt, wenn der nach den Absätzen 1 und 2 Berechtigte oder derjenige, von dem er seine Rechte ableitet, oder das enteignete Unternehmen gegen die Grundsätze der Menschlichkeit oder Rechtsstaatlichkeit verstoßen, in schwerwiegendem Maße seine Stellung zum eigenen Vorteil oder zum Nachteil anderer missbraucht oder dem nationalsozialistischen oder dem kommunistischen System in der sowjetisch besetzten Zone oder in der Deutschen Demokratischen Republik erheblichen Vorschub geleistet hat, § 1 Abs. 4 AusglLeistG.

Der Ausschlusstatbestand nach § 1 Abs. 4 AusglLeistG ist nicht erfüllt.

Der Beklagte hat unter dem 17.01.2011 dem Gericht mitgeteilt, dass seine weiteren Ermittlungen keine Anhaltspunkte dafür gegeben hätten, dass die von dem Kläger geltend gemachten Ansprüche neben den bereits mit dem angefochtenen Bescheid ausgeführten Gründen auch deshalb abzulehnen wären, weil ihnen Ausschlussgründe nach § 1 Abs. 4 AusglLeistG entgegenstehen würden.

Der Kläger ist Erbeserbe des Prinzen Wolrad. Dieser verlor das Eigentum an den im einzelnen bezeichneten Gütern auf der Grundlage der Verordnung Nr. 19 der Landesverwaltung Mecklenburg über die Bodenreform im Land Mecklenburg vom 05. September 1945, und damit entschädigungslos auf besatzungshoheitlicher Grundlage.

Prinz Wolrad war Privateigentümer der Güter. falsch!

Die (Lehn-)Güter standen zunächst im Eigentum seines Vaters, des Fürsten Adolf.

Diese Besitzungen waren kein frei vererbliches Privatvermögen des Fürsten Adolf und konnten demzufolge nicht gemäß §§ 1922, 2032 BGB in das gemeinschaftliche Vermögen der Erbengemeinschaft übergehen. Dieser Grundbesitz wurde zunächst als Bestandteil des Hausvermögens angesehen, welches zunächst durch das Hausgesetz vom 1. Dezember 1923 in das Eigentum des Fürstlichen Hauses Schaumburg-Lippe überging und sodann am 1. Juli 1939 freies Vermögen des Prinzen Wolrad wurde. Insoweit folgt die Kammer vollumfänglich den seitens des OLG Celle in seinem Urteil vom 27.03.2003 (Az. 7 U 159/02) gemachten Ausführungen.

Ein Hinweis darauf, dass es sich bei dem Grundbesitz in Mecklenburg nicht um frei vererbliches Privatvermögen des Fürsten Adolf gehandelt hat, folgt zunächst aus der Bescheinigung des Fideikommiss-Senats vom 17.06.1940. In dieser Bescheinigung heißt es, dass seit dem Hausgesetz vom 1. Dezember 1923 „das Fürstliche Haus Schaumburg-Lippe Eigentümer aller dem Chef des Fürstlichen Hauses Schaumburg-Lippe zustehenden Vermögenswerte geworden ist" und sich Prinz Wolrad zu Schaumburg-Lippe als Inhaber dieses Hausvermögens im Sinne des § 86 Abs. 2 Satz 5 DVFidErlG ausgewiesen hat. Dieser Bescheinigung, die auf § 39 DVFidErlG beruhte und einem Erbschein entsprach, kam jedoch keine Bindungswirkung zu. Nur eine auf § 25 FidErlG gestützte rechtskräftige Entscheidung des Fideikommiss-Senats hätte mit bindender Wirkung für die am Auflösungsverfahren Beteiligten die Zugehörigkeit der Vermögensgegenstände zum Hausvermögen feststellen können. Dennoch musste, da sich hier entgegenstehende Feststellungen nicht treffen lassen, von der inhaltlichen Richtigkeit der Bescheinigung entsprechend der ihr zukommenden Vermutung (vgl. § 2365 BGB) ausgegangen werden (vgl. hierzu und zum Folgenden OLG Celle, Urt. v. 27.03.2003 – 7 U 159/02 -).

Neben dem unveräußerlichen und unteilbaren Fideikommissvermögen (Domanium) besaß Fürst Georg zu Schaumburg-Lippe aber noch erhebliches Privatvermögen. Dies bestand auch aus den bezeichneten (Lehn-)Gütern in Mecklenburg. Mit dem Tode von Fürst Georg am 29.04.1911 ging dessen Privateigentum auf den Fürsten Adolf über. Davon ging auch die Fürstlich Schaumburg-Lippische Zentralverwaltung Vietgest (nach dem Erbfall) in ihrem an das Justizministerium gerichteten Schreiben vom 06.10.1911 aus. Die nach § 26 der Verordnung vom 09.04.1899 für den Erwerb von Lehngütern notwendige

lehnsherrliche Genehmigung wurde jedenfalls konkludent durch die Anweisung des Ministeriums an das zuständige Grundbuchamt, die Umschreibung der Lehngüter auf Adolf vorzunehmen, erteilt.

Das ererbte Privatvermögen wurde von dem Fürsten Adolf noch im Jahre 1911 zum Hausgut verbunden. Unter Hausgut oder Hausvermögen der damaligen Adelshäuser verstand man ein durch ein durch ein Hausgesetz gebildetes Sondervermögen, das zwecks Erhaltung der Macht und des Ansehens des Hauses gewissen Verfügungsbeschränkungen und einem besonderen Folgerecht unterlag. Zu diesem Zwecke wurde zunächst 1911 ein sog. Hausgesetz erlassen. Für das Hausgut sollte gelten, dass dieses „für alle Zeiten im Mannesstamme unseres Hauses nach den Regeln der Erstgeburt und der Linealfolge" vererbt werden sollte (Art. 1). Zugleich wurde in Artikel 1 des Hausgesetzes festgeschrieben, dass zum Hausgut neben dem Grundbesitz in Schaumburg-Lippe, Lippe, Preußen und Oldenburg auch die Güter in Mecklenburg gehörten. Damit wurden von dem Fürsten Adolf sämtliche von seinem Vater geerbten Güter in Mecklenburg (einschließlich der Lehngüter) mit eingebracht.

Die Adelshäuser waren zum Erlass von Hausgesetzen berechtigt. Die Hausgesetze waren Teil des Landesrechts. Das OLG Celle führt in der bezeichneten Entscheidung dazu aus:

> „... Dabei kam vor allem den bis 1918 regierenden Adelshäusern aufgrund der ihnen kraft Landeshoheit zugestandenen Autonomie die Befugnis zu, insbesondere in Bezug auf ihre Familienverhältnisse und Familiengüter in Abweichung vom allgemeinen Recht besondere Regelungen in Hausgesetzen, Hausverfassungen und Familienverträgen zu treffen (vgl. RGZ 26, 135, 155/157). ...
>
> Aufgrund des ihm zugestandenen Rechts der Autonomie konnte der Regierende Fürst Adolf zu Schaumburg-Lippe mithin durch Hausgesetze verbindlich die vermögensrechtlichen Verhältnisse des Fürstenhauses in Abweichung von den BGB-Vorschriften und des eigenen Landesrechts regeln. Hiervon wurde durch die Hausgesetze vom 7. September 1911 (Anlage K 179) und vom 31. Januar 1913 (Anlage K 185 b) Gebrauch gemacht. Bereits durch das Hausgesetz vom 7. September 1911 hatte der Regierende Fürst Adolf das von ihm ererbte Privatvermögen seines Vaters zum Hausgut bestimmt und einem besonderen Erbrecht unterworfen. ...
>
> In dem weiteren Hausgesetz vom 31. Januar 1913 wurde durch § 23 das Hausvermögen des Fürstenhauses Schaumburg-Lippe definiert, welches sich aus dem Domanium, dem Lippischen Paragium, dem Hausgut im Sinne des Hausgesetzes von 1911 sowie dem Krongut zusammensetzte und sich jeweils als in sich geschlossenes Sondervermögen darstellte. Dabei wurde seitens des Regierenden Fürsten Adolf in § 23 Nr. 3 des Hausgesetzes vom 31. Januar 1913 bestätigt, dass es sich bei dem durch das Hausgesetz vom 1911 geschaffenen Hausgut um Sondervermögen mit besonderem Erbfolgerecht handelt, wobei er es zusätzlich mit fideikommissrechtlichen Bindun-

gen belegte. Denn in § 23 Nr. 3 des Hausgesetzes wurde bestimmt, dass zum Hausvermögen auch das „aus dem Privatvermögen vom Stifter des Hauses Schaumburg-Lippe geschaffene" Hausgut gehörte, „das, herkömmlich als Familienstammgut behandelt, in der durch das Hausgesetz vom 7. September 1911 festgestellten Geschlossenheit nach den Vorschriften dieses Hausgesetzes verwaltet wird und sich als Familienfideikommiss im Mannestamme des Fürstlichen Hauses nach dem Rechte der Erstgeburt und der Linealfolge vererbt". Zudem heißt es in § 24 des Hausgesetzes, dass die in § 23 aufgeführten Vermögensmassen, für die der Grundsatz der Unteilbarkeit und Unveräußerlichkeit galt, in ihrem wesentlichen Bestande unverändert zu erhalten waren. Durch diese Regelungen wurde das 1911 gebildete Hausgut zum sog. Hausfideikommiss erklärt. …

Entgegen der Ansicht der Klägerin hatte der Regierende Fürst Adolf also mit den beiden Hausgesetzen von 1911 und 1913 im Wege des Selbstgesetzgebungsrechts an den in Art. 1 des Gesetzes von 1911 genannten Besitzungen, zu denen ausdrücklich auch die Güter in Mecklenburg (unabhängig von der Frage der Lehnguteigenschaft) sowie der Liegenschaften in Österreich gehörten, Sondervermögen in Form von Hausgut mit fideikommissrechtlichen Bindungen geschaffen. Dabei handelte es sich bei dem gesamten von dem Fürsten Georg geerbten Grundbesitz einschließlich der Grundstücke in Mecklenburg bereits seit dem Hausgesetz von 1911 aufgrund der dort angeordneten hausrechtlichen Erbfolge um kein nach den Vorschriften des BGB frei vererbliches Vermögen des Fürsten Adolf mehr. Allerdings blieb Fürst Adolf nach den Hausgesetzen als Oberhaupt des Fürstlichen Hauses weiterhin Eigentümer dieses Hausguts, dessen Nutzung und Verwaltung ihm zukam. Dass er selbst als natürliche Person ab 1911 als Eigentümer der Grundstücke in den Grundbüchern eingetragen wurde, entsprach damit der Rechtslage. Diese Grundbucheintragung bezog sich nur auf die Eigentümerposition des Fürsten Adolf als solche. Entgegen der Annahme der Klägerin war hiermit keine Aussage darüber verbunden, ob es sich bei dem jeweiligen Grundstück um Privatvermögen oder Sondervermögen des Fürsten Adolf handelte. Für die Zuordnung der Grundstücke zum Hausgut als Sondervermögen war es auch ohne Belang, ob in den Grundbüchern die Fideikommisseigenschaft bzw. hausrechtliche Gebundenheit der Grundstücke vermerkt wurde …

Zudem verkennt die Klägerin offenbar, dass sich durch die Hausgesetze von 1911 und 1913 an der Eigentümerposition des Fürsten Adolf nichts geändert hat; das Hausgut, welches im Eigentum des Fürsten verblieb, wurde lediglich mit rechtlichen Bindungen versehen.

Entgegen der weiteren Auffassung der Klägerin kam den Hausgesetzen nicht lediglich eine hausinterne Bedeutung zu. Die Hausgesetze, die auf der Autonomie des Adelshauses beruhten, waren vielmehr Teil des Landesrechts (vgl. hierzu RGZ 109, 11, 14). … Bereits die äußere Form des Hausgesetzes von 1913 (Anlage 185 b) sowie dessen Ausfertigung durch den Staatsminister des Fürstentums Schaumburg-Lippe sprechen dafür, dass das Gesetz nach den für Schaumburg-Lippe geltenden Vorschriften bekannt gemacht wurde. Entsprechendes muss für das Hausgesetz von 1911 gelten, welches die Klägerin zu den hiesigen Akten gereicht hat. Dies gilt umso mehr, als dass in der Bestätigung des Amtsgerichts Bückeburg vom 30. Juli 1936 (Anlage K 194) ausdrücklich darauf hingewiesen worden ist, dass das Hausgesetz von 1911 ordnungsgemäß kundgetan wurde. …

Bedenken gegen die Wirksamkeit der Hausgesetze von 1911 und 1913 ergeben sich nicht daraus, dass das Gesetzgebungsrecht des Regierenden Fürsten Adolf auf das Landesgebiet des Fürstentums Schaumburg-Lippe begrenzt war. Dies schließt hier eine wirksame Einbeziehung der außerhalb von Schaumburg-Lippe belegenen

Grundstücke in das durch das Hausgesetz von 1911 geschaffenen Hausguts, welches durch das Hausgesetz von 1913 um die Fideikommisseigenschaft ergänzt wurde, nicht aus. ...

Aufgrund der damaligen Praxis der regierenden Adelshäuser besteht vorliegend die Vermutung, dass das Fürstenhaus Schaumburg-Lippe seine Hausgesetze von 1911 und 1913 u.a. auch dem Großherzogtum Mecklenburg-Schwerin zur Kenntnis gebracht hatte. ... Auch ist nicht ersichtlich, zumal hierzu kein schlüssiges konkretes Vorbringen der Klägerin vorliegt, dass Mecklenburg und Österreich den Hausgesetzen, soweit es um die in ihrem Landesgebiet belegenen Grundstücke ging, widersprochen hatten. ..."

Die zum Hausgut verbundenen Grundstücke sind auch nicht zu einem späteren Zeitpunkt frei vererbliches Vermögen des Fürsten Adolf geworden.

Dies ist nicht durch das Hausgesetz von 1923 erfolgt, mit dem das Hausvermögen in seiner Gesamtheit auf das Haus Schaumburg-Lippe als juristische Person übertragen wurde. Dazu führt das OLG Celle in der bezeichneten Entscheidung aus:

„...Die Hausgesetze von 1911 und 1913, die unstreitig bis zur Abschaffung der Monarchie im November 1918 keine Änderungen erfahren hatten, blieben auch über das Jahr 1918 hinaus bestehen. Art. 109 Abs. 3 Satz 1 der Weimarer Reichsverfassung vom 11. August 1919 ordnete zwar die Aufhebung der öffentlich-rechtlichen Vorrechte der Geburt und des Standes an. Die privatrechtliche und hausrechtliche familien- und vermögensrechtliche Sonderstellung kraft Geburt oder Standes wurde von dieser Verfassungsvorschrift jedenfalls nicht rückwirkend betroffen (vgl. Staudinger, BGB, 10. Auflage, zu Artikel 57 EGBGB, Rdnr. 15 am Ende). Art. 155 Abs. 2 Satz 2 WRV ordnete darüber hinaus die Auflösung der Fideikommisse an. Diese Bestimmung enthielt die Anweisung an die Landesgesetzgebung, die zur Auflösung der Fideikommisse und ähnlich gebundener Vermögen erforderlichen Maßnahmen zu treffen (Staudinger, a.a.O., zu Artikel 59 EGBGB Rdnr. 22).

Im Hinblick auf diese Verfassungsvorschrift wurde vorliegend das in dem Hausgesetz von 1913 unter § 23 Nr. 1 aufgeführte Domanialvermögen, welches bereits nach der Verfassung für Schaumburg-Lippe vom 17. November 1868 unveräußerliches und unteilbares Fideikommissvermögen des Fürstenhauses gewesen war, aufgrund eines von dem Fürsten Adolf und dem Freistaat Schaumburg-Lippe abgeschlossenen Teilungsvertrages vom 23. April 1920/3. Mai 1920 durch Teilung aufgelöst, was in dem Landesgesetz vom 8. Mai 1920 festgeschrieben wurde (Anlage K 183/184). In § 11 des Vertrages wurde in diesem Zusammenhang niedergelegt, dass die dem Hauses Schaumburg-Lippe zufallenden Teile des bisherigen Domaniums zusammen mit dem (bisherigen) Hausgut das Familienfideikommissgut bildeten. Durch diese vertragliche Regelung wurde das Hausgut bzw. das Hausfideikommissgut um weitere Vermögenswerte erweitert, welches ansonsten unverändert blieb. ...

Nachdem die Schaumburg-Lippische Landesregierung unter dem 1. November 1923 bescheinigt hatte, dass das Fürstliche Haus Schaumburg-Lippe in privatrechtlicher Hinsicht eine juristische Person des bürgerlichen Rechts und als solche in der Gesetzgebung des Landes anerkannt war (Anlage K 189), wurde von dem Fürsten Adolf mit Zustimmung aller Agnaten das Hausgesetz vom 8. Dezember 1923 erlassen (Anlage K 185 a). Durch § 1 dieses Hausgesetzes wurde die Verfügung und Nutzung des Haus-

vermögens (Hausguts) des Fürstlichen Hauses Schaumburg-Lippe auf das Haus als solches übertragen; gleichzeitig wurden die hausgesetzlichen Bestimmungen über die Unteilbarkeit und Unveräußerlichkeit des Hausvermögens aufgehoben und seine rechtliche Gebundenheit, insbesondere seine Fideikommisseigenschaft, für beseitigt erklärt. Mit diesem Gesetz ging nach dem Willen des Fürsten Adolf und der Agnaten, wie aus einem Schreiben eines Vertreters der Fürstlichen Hofkammer vom 9. Januar 1925 folgt (Anlage K 187), das Eigentum an dem Hausvermögen im Sinne des § 23 des Hausgesetzes von 1913 sowie das durch die Kabinettskasse verwaltete Hausallods (einem weiteren Sondervermögen des Fürstenhauses) in seiner Gesamtheit auf das Fürstliche Haus Schaumburg-Lippe als juristische Person über. ...

Diese Vermögensübertragung auf das Haus Schaumburg-Lippe erfasste auch die gesamten seit 1911 zum Hausgut verbundenen Besitzungen und erstreckte sich entgegen der Auffassung de Klägerin damit auch auf die Güter in Mecklenburg sowie die Liegenschaften in Österreich. Denn § 1 des Hausgesetzes vom 8. Dezember 1923 nahm ausdrücklich Bezug auf das gesamte Hausvermögen im Sinne des § 23 des Hausgesetzes von 1913. Bestandteil dieses Hausvermögens war, wie oben ausgeführt, das durch das Hausgesetz von 1911 geschaffene Hausgut, zu dem der Grundbesitz in Mecklenburg und Österreich gehörte. ...

Für den Eigentumsübergang auf das Fürstliche Haus Schaumburg-Lippe als juristische Person des Privatrechts war es unerheblich, ob bis zum Tode des Fürsten Adolf am 26. März 1936 eine Eigentumsumschreibung auf das Schaumburg-Lippische Haus in den Grundbüchern stattfand. ... Denn die Übertragung des Eigentums auf das Fürstliche Haus fand unmittelbar auf der Grundlage des Hausgesetzes vom 8. Dezember 1923 statt, durch welches das Hausvermögen in seiner Gesamtheit im Wege der Gesamtrechtsnachfolge (Universalsuksession) überging. ...

Bei Zugrundelegung der damals vertretenen Rechtsauffassung bestehen gegen das Hausgesetz vom 8. Dezember 1923 auch insoweit keine Bedenken, als dass Artikel 57 EGBGB, der die Autonomie der vormals regierenden Adelshäuser sichergestellt hatte, durch die Abschaffung der Monarchie im November 1918 sowie durch Artikel 1, 109 Abs. 3 Satz 2 WRV gegenstandslos geworden war. Denn nach damaliger Ansicht galt Artikel 57 EBGB für Maßnahmen der Landesgesetzgebung weiter, „die infolge des Aufhörens der Landesherrlichkeit erforderlich wurden und werden, um Verhältnisse, die mit Rücksicht auf die frühere staatsrechtliche Stellung der Familie und ihres Hauptes in einer besonderen Weise geordnet waren, den Vorschriften des allgemeinen Privatrechts anzupassen" (RGZ 136, 211, 220). Danach waren die Länder befugt, den vormals regierenden Adelshäusern die Auflösung ihres gebundenen Vermögens in entsprechender Anwendung der Artikel 57, 58 EBGB zu überlassen. Hiervon hatte auch der Freistaat Schaumburg-Lippe Gebrauch gemacht. ... Denn durch das Schaumburg-Lippische Gesetz über die Aufhebung der Standesvorrechte des Adels und die Auflösung des Hausvermögens vom 30. April 1928 (Anlage K 190) wurde in § 2 festgehalten, dass es bezüglich der Auflösung des Hausvermögens mit dem bereits ergangenen Hausgesetz sein Bewenden hat. ...

Wegen des geltenden Territorialprinzips konnte sich das Landesgesetz zwar nur auf die Vermögenswerte erstrecken, die in seinem Staatsgebiet belegen waren. Das Hausgesetz vom 8. Dezember 1923 wurde aber auch von Mecklenburg anerkannt, so dass das Hausgesetz in Bezug auf die in Mecklenburg belegenen Güter ebenfalls Geltung erlangte. Von der Klägerin selbst wird in ihrem nachgelassenen Schriftsatz darauf hingewiesen, dass das mecklenburgische Fideikommiss-Auflösungsgesetz vom 13. Juni 1922 (RGBl. für Mecklenburg-Schwerin Nr. 60 S. 391) eine freiwillige Auflösung der gebundenen Vermögen gestattete. ...

Als Ergebnis ist festzuhalten, dass, abgestellt auf die damalige Rechtsauffassung, das Hausvermögen i.S.v. § 23 des Hausgesetzes von 1913 in seiner Gesamtheit wirksam mit dem Hausgesetz vom 8. Dezember 1923 auf das Fürstliche Haus Schaumburg-Lippe als juristische Person übergegangen war. Hiervon waren auch die Güter (einschließlich Lehngüter) in Mecklenburg sowie die Ländereien in Österreich als Bestandteil des Hausguts betroffen. Da diese Besitzungen mithin ab Dezember 1923 nicht mehr im Eigentum des Fürsten Adolf standen, konnten sie, obgleich sie rechtlich freies Vermögen geworden waren, als nicht zu dem Nachlass gehörend bei Eintritt des Erbfalls am 26. März 1936 nicht in das Vermögen der Erbengemeinschaft nach dem Fürsten Adolf fallen.

Sieht man demgegenüber entgegen der seinerzeit vertretenen Rechtsansicht das Hausgesetz vom 8. Dezember 1923 als unwirksam an, hätte eine Vererbung der Güter in Mecklenburg und Österreich an die Erbengemeinschaft ebenfalls nicht erfolgen können. Bedenken gegen das Hausgesetz könnten deshalb bestehen, weil dem Fürsten Adolf nach Abschaffung der Monarchie eine eigene Gesetzgebungsbefugnis auch in Bezug auf die eigenen Vermögensverhältnisse der Adelsfamilie gefehlt haben könnte, die Länder das Hausgesetz lediglich billigten, es aber nicht als eigenes Gesetz übernahmen und das Hausgesetz sich auch nicht als Umsetzung einer im Landesrecht vorgesehenen Auflösungsmaßnahme darstellte. Eine etwaige Nichtigkeit des Hausgesetzes mit der Folge, dass die Aufhebung der hausrechtlichen und fideikommissarischen Bindungen sowie die angeordnete Vermögensübertragung auf das Adelshaus nicht wirksam gewesen waren, bewirkte indes nicht, dass die Besitzungen in Mecklenburg und Österreich in den frei vererblichen Nachlass des Fürsten Adolf fielen. Denn im Falle der Nichtigkeit des Hausgesetzes vom 8. Dezember 1923 musste es bei dem Rechtszustand auf der Grundlage der dann weiter geltenden Hausgesetze von 1911 und 1913 verbleiben (bis zum reichsgesetzlichen Erlöschen des Sondervermögens per 1939). ..."

Prinz Wolrad war danach als das nächstberufene Oberhaupt des Hauses nach Fürst Adolf zugleich Erbe des Hausguts.

Bei Fortgeltung der Hausgesetze von 1911 und 1913 wäre deshalb mit Eintritt des Erbfalls, da Fürst Adolf trotz der Zugehörigkeit des Hausguts zum gebundenen Hausvermögen weiterhin dessen Eigentümer geblieben war, 1936 das Eigentum an dem mit hausrechtlichen und fideikommissarischen Bindungen belegte Hausgut im Wege der angeordneten Erbfolge auf den Prinzen Wolrad übergegangen, dem nunmehr als Oberhaupt des Fürstenhauses nach dem Hausgesetz von 1911 die Nutzung und Verwaltung des Hausguts als gebundenes Sondervermögen zustanden hätte (bis zur reichsgesetzlichen Aufhebung des Sondervermögens per 1939) (OLG Celle, aaO.).

Das nach dem Eintritt des Erbfalls stattgefundene Fideikommissauflösungsverfahren vor dem Fideikommiss-Senat des Oberlandesgerichts Celle hatte auf die geschilderte Rechtslage keinen Einfluss.

Das Gesetz über das Erlöschen der Familien-Fideikommisse und sonstiger gebundener Vermögen (FidErlG) vom 8. Juli 1938 (RGBl. S. 825) sowie die hierzu ergangene Durchführungsverordnung (DVFidErlG) vom 20. März 1939 (RGBl. I S. 509) war in Bezug auf das Vermögen des Hauses Schaumburg-Lippe anwendbar. Denn die Regelungen in diesen Rechtsnormen bezogen sich außer auf Familienfideikommisse auch auf Hausvermögen und ähnlich gebundene Vermögen, und zwar gleichgültig, ob diese aufgrund des Fideikommissrechts der Länder nach Art. 59 EGBGB oder aufgrund des in Art. 57, 58 EGBGB vorbehaltenen Rechts des hohen Adels als Hausgut oder Hausvermögen geschaffen worden waren (vgl. dazu OLG Celle, aaO.). Das OLG Celle führt aaO. insoweit aus:

„... In § 30 Abs. 1 FidErlG wurde ausdrücklich bestimmt, dass das materielle Auflösungsrecht insbesondere auch für Hausgüter, Hausvermögen und sonstiges gebundene Vermögen galt, wobei in § 86 DVFidErlG besondere Bestimmungen für das Hausvermögen getroffen wurden. Mit dem nach § 30 Abs. 1 i.V.m. § 1 FidErlG angeordneten Erlöschen des Hausvermögens zum 1. Januar 1939 wurde dieses zum freien Vermögen seines Inhabers (vgl. § 2 FidErlG, § 86 Abs. 1 DVFidErlG). Dabei erfasste § 86 Abs. 1 DV FidErlG den Fall, in dem das gebundene Hausvermögen im Eigentum des Oberhauptes des Hauses verblieben war. Dies bedeutet vorliegend, dass bei Annahme der Nichtigkeit des Hausgesetzes vom 8. Dezember 1923 das gebundene Schaumburg-Lippische Hausvermögen in seiner Gesamtheit, dessen Inhaber Prinz Wolrad nach dem Tode des Fürsten Adolf geworden war, zu seinen Händen bereits zum 1. Januar 1939 freies Vermögen wurde. ..."

Es kann also offenbleiben, ob das Fürstliche Haus – was der Beklagte wegen Fehlens von lehnsherrlichen Zustimmungen bestreitet - jemals Eigentümer der Güter geworden ist. Das OLG Celle führt weiter aus:

„... Geht man dagegen mit der damaligen Rechtsansicht davon aus, dass es aufgrund des Hausgesetzes vom 8. Dezember 1923 wirksam zur Übertragung des Hausvermögens auf das Fürstliche Haus Schaumburg-Lippe als juristische Person gekommen war, waren die obigen Regelungen gemäß § 86 Abs. 2 DVFidErlG insofern einschlägig, als dass das Eigentum an dem frei gewordenen Hausvermögen erst zum 1. Juli 1939 von dem Haus Schaumburg-Lippe auf den Prinzen Wolrad überging. Denn das materielle Auflösungsrecht fand nach der ausdrücklichen Regelung in § 86 Abs. 2 DVFidErlG auch insofern Anwendung, als dass eine Auflösung des Hausvermögens in dem Sinne stattgefunden hatte, dass – wie im Falle des Hauses Schaumburg-Lippe – eine Auflösung des Hausvermögens in dem Sinne stattgefunden hatte, dass dieses unter Wegfall seiner hausrechtlichen und fideikommissrechtlichen Bindungen auf das Haus als juristische Person übertragen wurde. Da das Vermögen hierdurch an das Haus als solches gebunden blieb, galt die Auflösung des Hausvermögens als noch nicht durchgeführt; das Hausvermögen wurde vielmehr als noch bestehend behandelt (vgl. hierzu auch Köhler/Heinemann, aaO., S. 99, 416). In § 86 Abs. 2 DVFidErlG wurde weiter bestimmt, dass die Vorschriften über das Erlöschen der Fideikommisse mit der Maßgabe anzuwenden waren, dass das Erlöschen des Hausvermögens zu Beginn des 1. Juli 1939 eintrat. Dabei nahm die Rechtsstellung des Fideikommissbesitzers das Mitglied

des Hauses ein, dessen Stellung in der Organisation des Hauses der des früheren Hausgutsinhabers entsprach. ..."

Danach wurde hier Prinz Wolrad als Oberhaupt des Hauses Schaumburg-Lippe jedenfalls – wenn man der damaligen Rechtsansicht folgt - zum 1. Juli 1939 kraft Gesetzes (§§ 1, 2, 30 Abs. 1 FidErlG i.V.m. § 86 Abs. 2 DVFidErlG) Inhaber des gesamten mit dem Hausgesetz vom 8. Dezember 1923 auf das Haus Schaumburg-Lippe übergegangenen Hausvermögens (einschließlich des Grundbesitzes in Mecklenburg).

Davon gingen im Übrigen – soweit ersichtlich – damals alle Stellen aus - auch die Fürstliche Hofkammer in ihrem Schreiben an das OLG Celle vom 20.06.1941. Das Mecklenburgische Staatsministerium übersandte Prinz Wolrad antragsgemäß unter dem 13.06.1942 lehnsherrliche Anerkennungen, nachdem die Lehngüter – wie aus einem an die Fürstliche Zentralverwaltung gerichteten Schreiben vom 25.05.1939 hervorgeht - freies Eigentum geworden und das lehnsherrliche Obereigentum des Landes Mecklenburg erloschen sei. Daraufhin konnte dieser seine Eintragung als Eigentümer im Grundbuch beantragen, was dann auch auf Anweisung des Vorsitzenden des Fideikommisssenats beim OLG Celle bzw. aufgrund des Folgezeugnisses des Fideikommissenats des OLG Celle geschah. Lehnsauflösungsscheine wurden erstellt und die Lehnseigenschaft im Grundbuch auf Ersuchen des Vorsitzenden des Fideikommissenats des OLG Celle gelöscht. Das OLG Celle hat auch insoweit weiter ausgeführt:

„Die hierüber ausgestellte Bescheinigung des Fideikommiss-Senats vom 17. Juni 1940 (Anlage K 218, Bl. 249 GA) gab die Rechtslage zutreffend wieder. Auch der Vater der Zedentin selbst hatte, wie sich aus seinem Schriftsatz vom 14. Juni 1939 an den Fideikommiss-Senat ergibt (Anlage K 117), seinen Bruder, den Prinzen Wolrad, als Hausgutsinhaber im Sinne des § 86 Abs. 2 DVFidErlG bezeichnet.

Zwar hatten die Brüder des Prinzen Wolrad Ansprüche gegen das Hausgut erhoben und gegen den Beschluss vom 05.01.1940, mit dem eine Einigung erzielt worden war, Beschwerde eingelegt, über die nicht mehr entschieden werden konnte. Dieser Umstand ändert jedoch nichts an der allseits akzeptierten Hausgutsinhaberschaft des Prinzen Wolrad.

Gemäß § 11 Abs. 1, 2 FidErG war Prinz Wolrad allerdings bis zur Erteilung des Fideikommissauflösungsscheins in der Verfügung über das in seinen Händen frei gewordene Vermögen beschränkt. Von dem Fideikommiss-Senat des Oberlandesgerichts Celle wurde dieser sog. Auflösungsschein, der dem Prinzen Wolrad als Eigentümer die freie Verfügungsbefugnis über das ehemalige Hausvermögen einräumte, (zwar erst) durch Be-

schluss vom 2. Januar 1953 erteilt, mit der Folge, dass sich der Schein auf die an die Stelle des Eigentums getretenen Surrogate erstreckte, nachdem die Güter in Mecklenburg zu diesem Zeitpunkt infolge der dort stattgefundenen Bodenreform enteignet worden waren.

Dies ändert jedoch nichts an dem Umstand, dass der Eigentumsübergang auf Prinz Wolrad kraft Gesetzes – wie erwähnt - bereits zum 1. Juli 1939 stattfand und der Kläger als Erbeserbe Ansprüche auf Ausgleichsleistungen geltend machen kann.

Die Kostenentscheidung folgt aus § 154 Abs. 1 VwGO. Die Entscheidung über die vorläufige Vollstreckbarkeit beruht auf § 167 VwGO i.V.m. §§ 708 Nr. 11, 711 ZPO.

Revisionszulassungsgründe sind nicht ersichtlich.

Rechtsmittelbelehrung:

Die Nichtzulassung der Revision kann durch Beschwerde innerhalb eines Monats nach Zustellung des vollständigen Urteils angefochten werden.

Die Beschwerde ist bei dem Verwaltungsgericht Greifswald, Domstraße 7, 17489 Greifswald, schriftlich einzulegen. Die Beschwerde muss das angefochtene Urteil bezeichnen.

Die Beschwerde ist innerhalb von zwei Monaten nach der Zustellung des vollständigen Urteils zu begründen. Die Begründung ist beim Verwaltungsgericht Greifswald, Domstraße 7, 17489 Greifswald, einzureichen. In der Begründung muss die grundsätzliche Bedeutung der Rechtssache dargelegt oder die Entscheidung, von der das Urteil abweicht, oder der Verfahrensmangel bezeichnet werden.

Vor dem Bundesverwaltungsgericht müssen sich die Beteiligten durch Prozessbevollmächtigte vertreten lassen. Dies gilt auch für Prozesshandlungen, durch die ein Verfahren vor dem Bundesverwaltungsgericht eingeleitet wird.

Als Prozessbevollmächtigte sind nur Rechtsanwälte oder Rechtslehrer an einer deutschen Hochschule im Sinne des Hochschulrahmengesetzes mit Befähigung zum Richteramt zugelassen.

Behörden und juristische Personen des öffentlichen Rechts einschließlich der von ihnen zur Erfüllung ihrer öffentlichen Aufgaben gebildeten Zusammenschlüsse können sich durch eigene Beschäftigte mit Befähigung zum Richteramt oder durch Beschäftigte mit Befähigung zum Richteramt anderer Behörden oder juristischer Personen des öffentlichen Rechts einschließlich der von ihnen zur Erfüllung ihrer öffentlichen Aufgaben gebildeten Zusammenschlüsse vertreten lassen.

Hünecke Humke Thews

NOTES on the judgment of the Greifswald Administrative Court:

After the publication of my first book, Prof. Dr. Jörg Kammler drew my attention to the work he had supervised by Ms. Anke Schmeling: *Josias Erbprinz zu Waldeck und Pyrmont. Der politische Weg eines hohen SS-Führers*, Schriftenreihe Nationalsozialismus in Nordhessen, Heft 16, Gesamthoch-schul-Bibliothek, Kassel 1993 (http://goo.gl/rp0Rp). Well worth reading. Josias von Waldeck und Pyrmont was married to the sister of Ingeborg Alix. *"On 2.12.1938, the princely property was recognized as a hereditary estate. These regulations offered the hereditary prince a number of economic advantages, as the conversion to a hereditary estate was the only way to tie the property undividedly to one person. At the same time, he was relieved of all compulsory portion claims on the part of his siblings, especially his two brothers, as the law stipulated that a hereditary estate could only be sole property that had to pass undiminished to the heir. In addition, the transfer of the property and the subsequent conversion into an imperial inheritance meant that the inheritance tax that would otherwise have been payable was waived"* (pp. 70-73). This is also pointed out by Jonathan Petropoulos, in *Royals and the Reich*, Oxford University Press 2006, p. 264.

It was precisely these circumstances that applied to "Prince Wolrad". The retroactive conversion of free assets into an entailed estate - which coincided with the backdating of the application for membership of the NSDAP - made it possible to transfer sole ownership to the person who had distinguished himself as a particularly "helpful National Socialist". I have referred to this in detail in *VPpU* (pp. 299-302).

The aim was to resolve the following legal conflict with the help of the National Socialist
"violent people": On the one hand, the viewpoint represented by Dr. Kirchhoff in 1948, and on the other, the perspective of a senate of the Higher Regional Court of Celle that was anchored in the past and an administrative court in Greifswald that copied it. Dr. Hans Kirchhoff, a former official of the Reich Ministry of Justice, who appeared to the British to be suitable for the Special Legal Advice Bureau (SLAB), wrote an expert opinion for the President of the Central Justice Office in Hamburg on March 22, 1948:

> *Even at the time of the codification of the BGB (...) the guarantee for the existence of the special rights of the high nobility under private law was rejected* (p. 99).

Thus, the former ruling princely houses and the sovereigns of equal status can neither fall back on the domestic laws of the period up to 1918 that established their prerogatives nor on international agreements and guarantees from the period after 1914 in order to derive from them a treatment of their person or their rights, in particular their property, that deviates from the general laws. (p. 100) *What the Emperor of the French is supposed to have done, thought and guaranteed in 1810 is legally irrelevant; history and the development of the law have long since passed over this. No German today can still invoke (p. 101) a "right" by the grace of Napoleon. It is also legally irrelevant whether this or that sovereign was represented at the Congress of Vienna.*

[...] the arbitrary shifting of questions of constitutional and private law to the area of a misunderstood international law (status quo guarantee) is the fundamental error that runs through the entire expert opinion and leads to the untenable and absurd result. If his point of view were correct, it would not have been possible, for example, to expropriate the landed property of the estates under the Prussian Expropriation Act of 1874, an idea t h a t no one has thought of to this day (p. 102). *Dr. Kirchhoff.*

The OLG Celle, on the other hand, wrote in a judgment (7 U 159/02) on p. 37:

A possible nullity of the House Law (of 1923) with the consequence that the abolition of the house-legal and fideicommissarial ties as well as the ordered transfer of property to the noble house as a separate legal entity were not effective, did not, however, have the effect that the possessions in Mecklenburg and Austria, which were part of the house estate, fell into the freely inheritable estate of Prince Adolf.

If the House Law of December 8, 1923 became null and void, the legal status based on the then still valid House Laws of 1911 and 1913 had to remain in place (until the special property was extinguished under Reich law in 1939).

Accordingly, as explained above, the House Acts of 1911 and 1913, according to which only a male descendant of the Princely House could be considered as an heir in accordance with the rules of primogeniture and lineal succession, excluded the inheritance of the estate in accordance with the provisions of the Civil Code.

The continued effect of the House Laws was to be secured with the help of the Nazi judiciary, the head enthroned and favored. Anyone in doubt should read p. 58 of the *VPpU* - the quote from BARCH 3001, file volume

10191, 1, p. 4: "*After the dissolution of the family estates, the current owners have become free owners of the estates and, thanks to the benevolent legislation, no longer recognize any obligation to support their other family members."*

Now one could ask the legitimate question: **Why did two other brothers get involved in National Socialism if** they were going to come off badly? My answer is: Because these "other" brothers were supposed to help themselves elsewhere. The following quotes provide evidence:

On March 20, 1940, the Chancellery of the Führer of the NSDAP wrote to the Reichsführer SS: *"However, since there is basically no doubt that the claim of (Friedrich Christian Prinz zu Schaumburg-Lippe, adjutant of Goebbels) is justified, no objections are raised to his proposal to receive land ownership in the newly acquired eastern territories in lieu of cash"* (*VPpU,* p. 92). In another letter, this time from the Reichsführer SS dated June 23, 1941, it is stated that Friedrich Christian "claims" lands of the former Catholic monastery of Kremsmünster (Upper Austria) (p. 93 of the *VPpU*).

In May 1944, Josias Prinz von Waldeck advocated that his brother-in-law, SS Obersturmbannführer and holder of the Totenkopfring, Ste- phan Prinz zu Schaumburg-Lippe, could buy up land in the "newly acquired" eastern territories (p. 80 ff. of the *VPpU*).

In 1943, Wolrad recommended to his brother Heinrich that he stock up on the housing market as part of negotiations on the issue of severance pay. He replied on April 10, 1943:

> *When you write to me that I could have secured myself in rem just as well as Didi [Friedrich Christian], I say decidedly no. Whether the blocks of houses that Friedrich Christian bought were Aryan [referring to blocks near the Hackesche Höfe in Berlin]? I doubt it. But I do not intend to make money on this line, as my father's son [alluding to the fact that Friedrich Christian was not Georg's son].*

The Nazi-oriented brothers thus acted in perfect division of labor. Prince Wolrad, who claimed to be the "head of the family", gathered together the assets of his deceased brother Prince Adolf and directed his brothers to "other" acquisitions through aryanization or plundering in the eastern territories. A tempting offer.

Now to the judgment of the Greifswald Administrative Court:

The defendant state office did not appear at the hearing, even though it was represented by a lawyer. It had rejected Alexander's application in the administrative proceedings. I was not informed of the date of the hearing and was therefore unable to attend the hearing. I was also not invited to attend, although another chamber of the administrative court had ordered the state office to include me in Alexander's administrative proceedings. I was promised that I would be informed of the date. Neither the state office nor the administrative court informed me of the date, nor of the decision. I was informed by a third party who had nothing to do with the proceedings. Secret justice?

In January, the state office wrote to the administrative court that there were no grounds for Wolrad's unworthiness. How strange.

In administrative law, the principle of investigation applies, not the principle of submission. In land reform proceedings for compensation payments, the claimant must cooperate, one would think. After all, the applicant wants to receive taxpayers' money.

In this ruling, the Administrative Court bases its decision on the state of knowledge in 2002 and copies large parts of a civil law ruling by the Higher Regional Court of Celle from that year. Celle had rejected my right to inspect the files on the grounds that Adolf had died without assets. It thus adopted the false allegations of the corrupt Bückeburg judiciary from 1936 and spared itself the inspection of documents that Alexander kept under lock and key, including Adolf's will. All the information I obtained and published after 2002 was suppressed. The Greifswald Administrative Court anticipated a result. In other words: it ruled through. The sequestered archives were not inspected. The principle of investigation and the principle of disclosure of documents by those applying for public funds were suspended. Transparency? What for?

Once again, those who block archives and derive their claims from Nazi crimes are being rewarded. Crimes against humanity are ignored. The historical context is not taken into account. Fiscal interests take precedence.

For historians, both the reasoning of the judges and that of the state office (which I largely share) as set out in the 24-page judgment should be of interest. For it is precisely this controversy and the legal dispute that point to my core thesis: The motive of a support of National Socialism by the (former) high nobility consisted in the undermining of civil law (the BGB) in inheritance regulations. This special right (in the form of an entailed estate dissolution law) rewarded "heads" of "noble houses" loyal to the Nazis. In this way, the "large estates" became easier to manage for military use (forestry estates provided wood for the construction of airplanes; agricultural estates fed soldiers) and the "heads" were compliant.

It is interesting that the judgment of the Greifswald Administrative Court of all places demonstrates this battle for inheritance rights under the National Socialist flag. It precisely recreates the legal disputes that took place between 1936 and 1945. It copies the arguments of the National Socialist judges, in 2011. In this respect, it is a historically interesting judgment. The state office and the court recreate the disputes that took place between the princes. Despite historical knowledge, the legal dispute takes place as if the Third Reich was unexplored and unknown; neither the practical con- sequences nor the historical context are taken into account.

To enable historians to classify the legal explanations outlined by the State Office and the court in a vacuum, I summarize the arguments of the Higher Regional Court of Celle, the Administrative Court of Greifswald and the Higher Administrative Court of Lüneburg:

– In 1911 and 1913, the reigning Prince of Schaumburg-Lippe declared all of his property (everything) to be a household estate. He had thus disposed of his private property.

– In 1923, he issued a new house law. According to this, the house property now belonged to the house as such.

– Although he was personally registered in land registers in Mecklenburg, Argentina, Austria, Hungary, etc., he had no assets on the day of his death, March 26, 1936, as certified by the Bückeburg District Court. The Princely House was the owner, Adolf had died without any assets.

– If the assets were tied assets, the FidErG of July 6, 1938 would apply. Accordingly, Prince Wolrad as the new head would be entitled to all of the assets as private assets as of 1939.

– This was what the Reich Minister of Justice and the Mecklenburg State Ministry had wanted. The Celle Higher Regional Court had certified this and had it entered accordingly in the land registries. If the House Law of 1923 did not apply because Adolf had no legislative power after 1918, as he had abdicated in 1918, then the House Laws of 1911 and 1913 would continue to apply. Adolf's property was therefore in no way his own. Therefore, Adolf had died without assets.

The fact that Adolf acquired the Palais Schaumburg in Bonn from Viktoria of Prussia in 1917 is probably irrelevant. The fact that Adolf was personally enfeoffed with the estates in Mecklenburg (i.e. did not inherit the estates from his father) is irrelevant. The fact that he actually received the Steyrling estate in Austria from an aunt as a legacy is irrelevant. Everything that was a family legacy, and that was everything, belonged to Wolrad. That is roughly the essence of the 24-page judgment.

Should an unpublished "house law" allegedly written by Adolf on machine paper continue to apply worldwide until 1936? Should Adolf, who according to this logic was also the head of the family, be deprived of his testamentary capacity? Should he not be allowed to draw up a will from 1913 until his death? Who can forbid him to do so? Perhaps the person keeping Adolf's will under lock and key? Perhaps the state of Lower Saxony as Alexander's trustee?

The legal opinion of the state office in Schwerin is different. It looks as if it has been "whistled back" by the BMF. How can it be explained that it did not send anyone to the hearing, did not lodge an appeal and did not inform me of anything, not even the date, contrary to its written promise?

According to the state office, Wolrad had not acquired ownership of the goods. So why did it not appear at the hearing? From the entries in the land registers, it had not been possible to establish either a legal obligation or ownership by the Princely House. Why does no lawyer present this at the hearing? An acquisition by the Princely House had not been established, and no fiefdom authorization had been obtained.

visible. Why is this not explained to the Chamber? A certificate from the OLG Celle could NOT bind co-heirs. There had NOT been an agreement between the co-heirs. Wolrad had NOT acquired property. Not even by way of dissolution of the entail, as the property was NOT owned by the Princely House at the time of Prince Adolf's death. Prince Adolf had not transferred the estates to the Princely House either in 1923 or later. Although the feudal acknowledgement had been granted in connection with the final redemption of the superior property, it had NOT resulted in a constitutive acquisition of ownership on the part of Prince Wolrad, as there had NOT been a dispute between the feudal heirs.

In court, the legal opinion represented by me and the state authority did not prevail. Nobody put forward the legal opinion. The judgment was handed down. The Greifwald Administrative Court wrote for pages in the "Copy-and-paste mode" legal opinions of Dr. Robert Figge, NS judge of the Higher Regional Court of Celle.

Dr. Robert Figge

In 2002, the Higher Regional Court of Celle adopted Dr. Figge's statements. The fact that the house laws in question were not published was irrelevant. The fact that the house laws from Schaumburg-Lippe did not have the force of law in Mecklenburg, Austria, Prussia, Hungary or Argentina is dismissed with the argument that it is ASSUMED that the house laws were recognized there. Yet the House and Court Archives in Vienna had confirmed to me in writing that recognition was necessary and that it had NOT taken place. How can something be assumed that has been refuted? I submitted the document, but it was not acknowledged. It was assumed that everything was correct. The archives remained closed.

The important questions for historians are:

Why does the state interfere with such vehemence in a private law inheritance?
legal dispute?

Why did the Nazi state have to draw up tailor-made "benevolent" regulations ("benevolent" legislation is a term from the SS file on the legislative procedure in the matter of the dissolution of the Fideikommiss) for the Nazi-loyal chiefs? See p. 302 of the *VPpU*. Dr. Heinz Ehaus, Chief of the Security Police, Himmler and Koehler were involved in the drafting of the legal regulations, including § 86 DVO to the FidErlG.

Why did the state want Wolrad to get everything, come hell or high water?

These are the questions that need to be investigated. Without the tailor-made regulations of the Nazis, in particular § 86 of the DVO to the FidErlG, Prince Wolrad would never have been able to "appropriate" all the assets.

The wording of this provision:

> *If the dissolution of a house property or a house estate has been carried out in such a way that the property has remained or been transferred to the house as a legal entity, the dissolution shall be deemed not yet to have been carried out. The household assets or the household property shall be treated as existing as such. This also applies if the house has changed its organization in the meantime. The provisions on the termination of entailed estates are to be applied by analogy.*

I admit that these relationships are complex. But there is no way around it. **Only those who make the effort to understand these connections can understand the motive behind the NS support by the Recognize "heads".** The reward: you don't have to share with the family. They are immunized against the BGB. They were not Nazis out of conviction. They were opportunists.

On June 29, 2011, I received a letter from Alexander's lawyer from the second chamber of the Greifswald Administrative Court, which delivered the verdict I have commented on here, objecting to the verdict being sent to me in anonymized form. Very interesting. I'm not allowed to read the judgment. I am not allowed to consult the archives, nor to hear about the hearing, nor to be summoned, nor to find out how it was decided, nor to read the judgment, and public money will now flow to the self-appointed prince.

A fair trial? No fairer than a trial in Russia or China.

Dr. Klaus Graf, historian of nobility, wrote to me:

> *Although I am fundamentally opposed to conspiracy theories and many of your positions, I agree that there are too many oddities in this case. It is unacceptable that former ruling houses should still be granted the power to legislate after 1918 and thus expropriate co-heirs.*

After all, after many years it dawned on some. Let them really get to t h e bottom of it.

The OLG Celle AZ 7 U 159/02 wrote for 58 pages in my action for information that unpublished "house laws" from 1911 and 1913 continue to apply ad eternum, despite the abdication in 1918. This was the only way to construe that Adolf was without assets. Why did courts construe for pages and pages with the utmost meticulousness that the BGB did not apply? Why this huge effort? Because the state is not impartial, but protects its own interests. In a normal case, the state wouldn't care who inherited what from whom. Here it was different. If it applied the BGB, it would have to admit that it was the biggest cheat of all. How did he get the Palais Schaumburg? How did he get to the Steinhuder Meer? How did he get the princely court in Bad Eilsen?

State courts cannot support my thesis because the state, the beneficiary of the Third Reich, would be in big trouble. It already has enough trouble with the JCC. And it seems very strange that in proceedings under the Property Act, there is not a single reference to the Nazi burden, even though this was the main topic in the administrative proceedings. Nothing. The judgment of the Greifs- wald Administrative Court comes from a laboratory in which an ideal world is feigned.

A Nazi judge of the Higher Regional Court of Celle, Dr. Robert Figge, even receives a seal of approval in the form of § 2365 of the German Civil Code (yes, the German Civil Code, which should not apply). Although Figge's certificate is not a certificate of inheritance, this provision is applied to the Nazi certificate, and once again it is ASSUMED (despite closed archives, despite a locked will) that what this Nazi judge wrote (Adolf was without assets) must be correct.

Finally, a letter from Wolrad to Göring dated May 7, 1936, which can be read at **http://goo.gl/yRv8l**

Appendix 2: Information blocking

"Truth is not only violated by falsehood; it may be outraged by silence."
(Henri Amiel)

I'm not the only one being denied information. It happens very often that government agencies refuse to provide information, access to archives, files, processes, etc. Transparency and the verifiability of government action are part of the very essence of democracy and should also be brought to the fore in this century of supposed information overload and freedom. It provides information about the true degree of democracy that a society possesses.

When it comes to information about a particular person, their identity is taken away from them and information/data about their own career is withheld. A part of the "I" is erased by third parties, often for political reasons.

"There is no crime, no ruse, no trick, no swindle, no vice that does not thrive on secrecy. Bring these secrets to light, describe them, ... and sooner or later public opinion will sweep them away. Publicity alone may not be enough - but it is the only means without which all others fail." (Joseph Pulitzer)

I would like to mention a few cases that are characterized by the withholding of information:

Case 1: Justice in Russia

November 19, 2008: The murder of journalist Anna Politkovskaya is tried by a Moscow military court in camera. Anna Politkovskaya had worked for the independent newspaper "Novaya Gazeta" until she was shot dead outside her Moscow apartment in 2006. She was a staunch critic of then President Putin and had become known worldwide for her reports on human rights violations in Chechnya.

Case 2: Disappeared files in Spain

The classified report of January 10, 2002 (number 3329/2002), in which the political-military advisor of the US embassy in Madrid asked Spain to allow flights to Guantánamo with prisoners on board to stop over in Spain, "disappeared" from the archives of the Spanish Foreign Ministry.

Case 3: Siegfried Buback (Germany)

Who spared Siegfried Buback's murderer? Former RAF terrorist Verena Becker may have been involved in the assassination attempt on Federal Prosecutor General Siegfried Buback in 1977 after all. Federal Minister of the Interior Schäuble refused to lift the blocking notice on the constitution protection file of former RAF terrorist Verena Becker.

Case 4: The Four of Guildford (Great Britain)

The interrogation record of at least one witness had been suppressed by the investigating authorities. It was withheld from the defense with the following note: "Not to be disclosed to the defense".

Case 5: Locked aristocratic archives (Germany)

Dagmar, who died on December 24, 2008, the daughter of the only member of the Schaumburg-Lippe family who was a member of the regime, was denied access to documents relating to her from the Nazi era until her death.

Case 6: Quandt family archives (Germany)

The archives of the Quandt family (or their companies) remained closed, even though countless people were conscripted to work there.

Case 7: Anna Rosmus

She was denied access to the Passau city archives for three years until she won access to the files in court.

Case 8: Lower Saxony

Lower Saxony sees no need for a Freedom of Information Act.

Case 9: Stansilaw Markelow and Anastasja Baburowa (Russia)

The well-known Russian human rights lawyer Stanislaw Markelow and the anti-government journalist Anastasja Baburowa are shot dead on the street in Moscow.

Case 10: Katyn (Russia)

No investigation into the mass murder of 21,000 Polish officers in Katyn at the beginning of the Second World War. The Russian Supreme Court ruled that the closure of the investigation on the instructions of the Russian military prosecutor's office in 2004 was lawful. Reason: many documents are and should remain secret. Survivors of Polish officers who were shot in the Katyn Forest in 1940 wanted access to the documents.

Case 11: Head file (Germany and Great Britain)

The State Chancellery of Lower Saxony and the Foreign Office impose a viewing ban. This word is rather unwieldy. "Barring access"? to the Kopf extradition file. Hinrich Wilhelm Kopf was to be extradited to Poland in 1947 for war crimes in the Generalgouvernement. Willy Brandt saved him from this. Kopf was the first Minister President of Lower Saxony (SPD). See chapter 22, p. 221 of the *VPpU*.

Case 12: BAE Systems (Great Britain)

Blair stopped corruption investigations against BAE Systems.

Case 13: Dogan (Turkey)

The Dogan press group was fined 400 million euros in taxes during the election campaign.

Case 14: No access to files at Bafin (Germany)

The Federal Council has launched an initiative to restrict the Freedom of Information Act. According to this, citizens should no longer be able to inspect files at the Federal Financial Supervisory Authority (Bafin) and the Bundesbank.

Case 15: MI5 (Great Britain)

MI5 refuses Prof. Eric Hobsbawm access to his own file.

Case 16: No release of secret files (Germany)

The Ministry of the Interior overturns the amendment on the release of secret files.

Case 17: Toxic securities and BaFin (Germany)

Thanks to a journalist from the *Süddeutsche Zeitung,* it becomes known that in April 2009 the Federal Financial Supervisory Authority (BaFin) did everything it could to conceal from the German people the fact that toxic securities amounting to 800,000 million were lying dormant on the balance sheets of German banks.

Case 18: Automatic censorship wall (China)

From June 1, 2009, Beijing has forced all computer manufacturers to install an automatic censorship wall in their devices if they are to be sold in China. Following protests at home and abroad, the introduction of the "Green Dam" filter software has been postponed indefinitely.

Case 19: Natalia Estemirova (Chechnya)

The human rights activist and journalist Natalia Estemirova was murdered because she repeatedly reported on human rights violations during the war in Chechnya. Her reports dealt with crimes committed by the Russian army and the allied paramilitary groups in Chechnya.

Case 20: Sarema Sadulayeva and husband (Chechnya)

August 11, 2009: In Chechnya, human rights activists have been murdered for the second time in a month. Sarema Sadulayeva and her husband were found dead near the Chechen capital Grozny after they had been picked up by unknown persons the day before, reported a spokesman for the human rights organization Memorial. *(FAZ)*.

Case 21: Abuse of children (Ireland)

The leadership of the Catholic Archdiocese of Dublin covered up the sexual abuse of children by priests for decades. The Irish police often concealed the events.

Case 22: Political accounts in Switzerland (Germany)

Swiss politicians threatened. If Germany buys stolen bank data, a change in the law is being worked towards so that all Swiss accounts of German people holding public office must be disclosed (quote from Swiss National Councillor Alfred Heer, head of the influential conservative SVP in the canton of Zurich).

Case 23: Dresdner Bank (Germany)

Dresdner Bank (Commerzbank): The Historical Archive of Dresdner Bank refuses to allow some of the co-heirs of Adolf Fürst zu Schaumburg-Lippe (persecutor of the Nazi regime) to inspect documents that identify him as a member of the bank's Supervisory Board and as an account holder.

Case 24: Asse Committee (Germany)

The Federal Chancellery does not want to make all documents accessible. When the Chancellery withholds documents from a committee of inquiry (in this case, the state of Lower Saxony), the reason given is as follows: "In a few cases, the transmission of documents has been refrained from because they extended to the "protected core area of government action".

Case 25: Eichmann (Germany)

Eichmann files in the Federal Chancellery are largely under lock and key.

Case 26: Federal files (Germany)

The federal government keeps 7.5 million files under lock and key.

Case 27: Eraser demanded (Germany)

Interior Minister de Maizière called for "erasers" for online content.

Case 28: Nuclear treaty (Germany)

Will the nuclear treaty be disclosed?

Case 29: Hossein Derakhshan (Iran)

The public prosecutor demands the death penalty for blogger Hossein Derakhshan. The sentence was passed: 19 1/2 years in prison.

Case 30: Plane crash (Poland/Russia)

Russia refused to provide access to the operating rules of Severny Airport - the very rules that would reveal whether the final decision to land lay with the Polish pilots or the Russian ground staff. Previously, Moscow had long refused to provide information about who was the third person responsible in the tower alongside the two air traffic controllers.

In most cases, those affected are defenceless, far inferior citizens who have no chance of asserting themselves against the apparatus of power. This is an unfair approach. The greater the disparity between the parties, the more blatant and arrogant the withholding of information becomes. The more serious the unlawful acts to be covered up, the more unyielding the information embargoes imposed. This is the only way the state can prevent the public eye from being activated.

A successful tactic so far. But is the state aware of the extent to which its credibility is diminishing? A state that resists the democratization of knowledge loses credibility.

Only if public interest is aroused and attention is drawn to the controversy and the (foreign) public is also made aware of it.

there is a chance that a (proper) discussion will take place at all.

It is not the withholding of information as such that seems particularly intolerable. It is intolerable when the state (also) suppresses and conceals information. Such behavior undermines trust in state institutions, which can lead to a long-term threat to the rule of law and thus to the state. However, it is only when this threat sets in that the state starts to think about clarification and transparency.

The other side of the coin is called state screening. But what does it look like when the state screens citizens unlawfully?

It is significant that whenever spying activities are carried out and uncovered, politicians and institutions spark a data protection debate. This debate is then intended to play down the actual scope of state intervention, take the wind out of the sails of critics and lull citizens into a sense of "security".

But it is not, because there is a risk of repetition. It is not just a question of which data is being compared and by whom. The monstrous thing is that the state carries out unlawful measures on a large scale and immediately relativizes the extent of its actions. It will do it again.

As an example, I refer to the spying and siphoning off of journalists by the Federal Intelligence Service.

The situation is somewhat different when members of parliament are spied on: Members of parliament may, in principle, demand information from the federal government about possible spying by the secret services (decision of the Federal Constitutional Court of July 1, 2009, 2 BvE 5/06).

However, members of parliament are constitutional bodies. People are more cautious about this, especially after the decision of the European Court of Human Rights on June 6, 2006, which dealt with the complaint of members of the Swedish parliament who had been spied on by the Swedish secret service.

Take China, for example:

> *On Thursday, the Chinese government legally obliged Internet and telecommunications providers operating in China to monitor their customers and block the publication of "state secrets" at the request of the authorities. This is the first time that the government has explicitly applied the concept of state secrets to the Internet in a law. It is based on a law that has existed since 1989, which prohibits the publication of state secrets. This facilitates the persecution of dissidents on the Internet. (*FAZ online *from April 30, 2010)*

Take Russia, for example:
The Russian Duma passed a controversial law on June 11, 2010. In future, the FSB secret service can detain "suspicious citizens" for up to 15 days. It does not have to coordinate its actions with the judiciary.

And what does the state think of information embargoes imposed on it? It is indignant and demands transparency. See the news from February 23, 2009: The German government has renewed its demand for a viable restructuring concept from car manufacturer Opel and its US parent company General Motors. There can be no blank checks and commitments for state aid if the necessary documents are not on the table and have not been examined, said the deputy government spokesman (...) in Berlin (...)

There are also positive examples that testify to a willingness to educate.

Deportation of Demjanjuk (USA):
May 12, 2009: After months of tough legal wrangling, former concentration camp guard John Demjanjuk has been deported from the United States to Germany.

Obligation to disclose the income of British MPs (Great Britain):
The US freelance journalist Heather Brooks has succeeded in having a court order the disclosure of the private income of members of parliament.

Disinformation and confusion tactics:
Example Germany: Information policy on aid to Greece and the
"Not even members of parliament know what measures the federal government is to be authorized to take.

We all remember the turbulent days in November 2011, when Prime Minister Papandreu wanted to initiate a referendum in Greece on the bailout package. The sympathetic project was canceled within 48 hours. I would like to quote from a very readable commentary by Markus Spillmann in *nzz online* on November 3, 2011 with the fitting title "When the people become a problem":

> *The Greeks should not be called to a referendum after all. Europe is wary of responsible citizens. How much democracy can Europe take? - Apparently very little, if you take the uproar caused by Greek Prime Minister Papandreou's announcement of the referendum at face value [...] Merkel, Sarkozy and the Euro Group have sharply rebuked... A referendum [...] would have had its charm [...] It* ***is*** *hypocritical, of course, that the harshest criticism of these days has been voiced in Berlin and Paris - where even the delegation of the sovereign, the parliament, is currently being carefully kept at a distance. [...] Because the problem is not the people, but the fear of the political players to confront them on such important issues. And so the debt and currency crisis is increasingly mutating into a crisis of democracy. Citizens are realizing that they will be bypassed in the decision-making process if the communitarization of the crisis leads to the transfer of further powers. [...] The growing distance between those who shape Europe and those who finance the Europe thus shaped is sowing strife and discord [...] the radiance of the undisputed achievement of the post-war era in Europe [...] is fading.*

What do these thoughts have in common with my criticism of the iron-clad archive embargoes? Transparency is unattainable when state interests or those of the powerful are affected.

The habit of withholding information has become established among those in power. In a few years' time, this practice will have unforeseeable consequences among the younger members of society.

have. The distance between the state and the population will increase. There will be a complete break.

A president who outwardly stands for values but regrettably flaunts his human weaknesses as if nothing had happened fits into this era. A federal president who is against disclosure and transparency cannot be a good head of state. A federal president who refuses to provide information to the citizens he represents will hardly be considered groundbreaking and exemplary. Of all people, this Federal President was Minister President of Lower Saxony, a state that vehemently opposes the opening of state archives. It is hard to imagine a more homogeneous stance. And therein lies the inconceivable. The Federal President is claiming sovereign rights, even though his misconduct is on a personal level.

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